

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE OF REPRESENTATIVES REDISTRICTING MEETING

AUGUST 11, 2014

Reported by:

CLARA C. ROTRUCK

Court Reporter

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

2 SPEAKER WEATHERFORD: The House will be in
3 order. Members, please take your seats. The
4 members prayer will be offered today by
5 Representative Matt Hudson.

6 Representative Hudson, would you please
7 approach.

8 REPRESENTATIVE HUDSON: Members, would you
9 please bow your head in prayer? Dear Lord, we come
10 together today to do the work of the people of the
11 great State of Florida. We ask your blessings upon
12 us, we ask your blessings upon all of our family and
13 friends who care for us so greatly and give us the
14 opportunity to serve.

15 We ask you to watch over all of the elected
16 leaders in our state, all the elected leaders in
17 our country, and we ask you to bless them and help
18 them in their decision-making process.

19 Lord, we know that you guide all things and we
20 are very thankful for all of the blessings that we
21 have seen, both seen and unseen over the course of
22 the last week, and you know we know you will bless
23 us without question again and we may not know it
24 all of the time, but we are very thankful for it.
25 We thank you for that.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

3

1 Dear Lord, please grant us travel and
2 emergencies as we leave, whatever that shall be,
3 but please watch over us and watch over our
4 families and we ask this in your name. Amen.

Page 2

5 SPEAKER WEATHERFORD: The Clerk will unlock
6 the machine and the members will record their
7 presence.

8 Have all members reported their presence? The
9 Clerk will unlock the machine and ask the presence
10 of the quorum.

11 READING CLERK: 106 members voting, and a
12 quorum is present, Mr. Speaker.

13 SPEAKER WEATHERFORD: Members and visitors in
14 the gallery, please rise for the Pledge of
15 Allegiance to the Flag. The Pledge of Allegiance
16 will be led today by Representative Williams from
17 his desk. Representative Williams.

18 REPRESENTATIVE WILLIAMS: Thank you,
19 Mr. Speaker. Members, please join in the Pledge.

20 I pledge allegiance to the flag for the United
21 States of America and to the Republic for which it
22 stands, one nation, under God, indivisible with
23 liberty and justice for all.

24 SPEAKER WEATHERFORD: Thank you Representative
25 Williams.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

4

1 Address to the journal, hearing none, show the
2 journal approved.

3 For the matters on introduction in reference.

4 READING CLERK: On the desk, Mr. Speaker.

5 SPEAKER WEATHERFORD: Read HR 3-A the first
6 item and show the further the count.

7 READING CLERK: By Representative and
Page 3

8 President Moskowitz, House Resolution 3-A. A
9 resolution expressing support for the state of
10 Israel.

11 SPEAKER WEATHERFORD: Any communications?

12 READING CLERK: None on the desk, Mr. Speaker.

13 SPEAKER WEATHERFORD: Are there messages from
14 the Senate?

15 READING CLERK: None on the desk, Mr. speaker.

16 SPEAKER WEATHERFORD: Are there reports of
17 standing committees and subcommittees?

18 READING CLERK: On the desk, Mr. Speaker.

19 SPEAKER WEATHERFORD: Read the report.

20 READING CLERK: To the Honorable Will
21 Weatherford, Speaker of the House of
22 Representatives. Dear Mr. Speakers, your rules and
23 counter committee herewith submits a special order
24 for Monday, August 11, 2014. Consideration of the
25 House Bills on special orders shall include the

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

5

1 Senate companion measures on the House counter.

2 Read the report, Mr. Speaker.

3 SPEAKER WEATHERFORD: Representative Shane,
4 you are recognized on the report.

5 REPRESENTATIVE SHANE: Thank you, Mr. Speaker.
6 The report sets a Special Order calendar and I move
7 the adoption of the Special Order Report for today,
8 Monday, August the 11th, 2014.

9 SPEAKER WEATHERFORD: Are there questions?
10 Are there objections? All in favor signify by

11 saying yea.

12 (Chorus of yeas.)

13 SPEAKER WEATHERFORD: Opposed no. Show the
14 Special Order Report adopted. Are there other
15 reports?

16 READING CLERK: None on the desk, Mr. Speaker?

17 SPEAKER WEATHERFORD: Are there reports on
18 select committees?

19 READING CLERK: None on the desk, Mr. Speaker.

20 SPEAKER WEATHERFORD: Are there motions
21 relating to pending and subcommittee references?
22 Are there matters on reconsideration? Are there
23 opposing resolutions on third reading?

24 READING CLERK: None on the desk, Mr. Speaker.

25 SPEAKER WEATHERFORD: Okay, members, welcome

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

6

1 back. We are going to take up our Bill on Special
2 Order and potentially be rolled in third reading he
3 if it is the will of this body. But in an effort
4 to accommodate members who are delayed due to
5 weather, and to ensure that the Senate has made the
6 necessary technical fixes to the Bill we are going
7 to be in recess at some point and wait for the
8 Senate Bill to come over to the House before we
9 take up the actual Senate Bill.

10 With that, are there other Special Order
11 calendar?

12 READING CLERK: On the desk, Mr. Speaker.

13 SPEAKER WEATHERFORD: Read the first Bill.

14 READING CLERK: By the Select Committee on
15 Redistricting and Representative Corcoran, House
16 Bill 1-A, a bill to be entitled, An Act
17 Establishing the Congressional Districts of the
18 State.

19 SPEAKER WEATHERFORD: Representative Corcoran,
20 you are recognized to explain the Bill.

21 CHAIRMAN CORCORAN: Thank you, Mr. Speaker.
22 Before I get into the explanation, earlier this
23 week due to the Court's opinion we had sent out a
24 memo that said anyone who had a plan had to comply
25 with a certain level of criteria so that you knew

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

7

1 exactly where it came from and who was involved.

2 So I am going to go through that memo that I
3 had sent out as the adding committee to just let
4 you guys know the background and what we used.

5 The identity in every person involved in
6 drawing, reviewing, directing or approving a
7 proposal for the House, it was myself, the General
8 Counsel for the House, outside General Counsel for
9 the House and the committee staff, Jason Preda and
10 Jeff Tackett and Jeff Silver.

11 In the Senate it was also that same
12 counterparts, Attorney Galvano, their Senate
13 counsel, their Senate outside counsel and their
14 Senate staff, John Guthrie and Jay Ferring.

15 The criteria that we used for the map we
16 relied on counsel's advice regarding the Court's

17 ruling. We relied on staff in conjunction with
18 counsel to craft the most effective remedy. We
19 crafted that remedy and evaluated, made every
20 effort to improve the metrics of the district
21 affected, entering districting process and relied
22 on staff and counsel to ensure the new District 5
23 did not diminish as compared to the benchmark plan.

24 Fourth, we did not tolerate any political
25 influences. The map was drawn last Wednesday here

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

8

1 at the Capitol by a small group including Chair
2 Galvano and myself and those I listed.

3 Section 20 of the Florida Constitution, the
4 Fair Districts Amendment and the Federal Voting
5 Rights Acts were also complied with.

6 The sources we used were My District Builder.
7 It was the same My District Builder that existed in
8 2010, for the redistricting process. The only
9 addition as we discussed in committee was the 2012,
10 election data was added in and that was used in the
11 functional analysis as required by law for
12 Congressional District 5.

13 The nature of the functional analysis that we
14 did, we conducted it under Congressional District 5
15 as is required and we relied on staff and counsel
16 to ensure that the new District 5 did not diminish
17 as compared to the benchmark plan and the analysis
18 we shared in detail on our committee meeting on
19 Friday, and it is also on the Bill analysis.

Page 7

20 How the proposal satisfies the constitutional
21 statutory criteria, Congressional District 5
22 maintains the minority community's ability to elect
23 a candidate of choice. The BVAP in that plan
24 before you is 48.11, complying with the Tier 1
25 standard of non diminishment. Divisional and

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

9

1 mathematical compactness scores for all of the
2 affected districts were either remained at a
3 similar level of the benchmark map, but in most
4 cases saw a significant improvement, and they also
5 better quality existing geographic boundaries.

6 The general overviews outside of that for the
7 maps before you, it keeps Congressional District,
8 it keeps 20 Congressional Districts unchanged. The
9 Bill completely eliminates District 5's incursion
10 into Seminole County and the appendage in District
11 10. It dramatically improves visual and
12 mathematical compactness of District 5. Its Reock
13 score improves from .09 to .13 and its convex hull
14 score improves from .29 to .42. Its perimeter is
15 decreased by 124 miles.

16 It improves the visual mathematical
17 compactness of District 6, 7, 9 and 10 and
18 maintains Districts 11 and 17 compactness levels
19 with those that existed in the enacted map. Four
20 out of the seven impacted districts improved on
21 both compactness scores and the other three
22 impacted districts improve on one of the

23 compactness scores over the map, the enacted map,
24 9047.

25 District 5 goes from a BVAP of 49.9 and a

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

10

1 benchmark to 48.11, without lessening the ability
2 of African-Americans to select a candidate of their
3 choice. It maintains the number of counties split
4 at 21 and does all of this and only splits one
5 additional city compared to the enacted map.

6 And that is the Bill before you, Mr. Speaker.

7 SPEAKER WEATHERFORD: Thank you, Chair
8 Corcoran. Other questions of the sponsor? Other
9 questions? Representative Thurston, you are
10 recognized for.

11 REPRESENTATIVE THURSTON: Thank you,
12 Mr. Speaker. Representative Corcoran, was there
13 ever an opportunity or an invitation to anyone
14 within our caucus to participate in the preparing
15 of this map?

16 SPEAKER WEATHERFORD: Representative Corcoran.

17 CHAIRMAN CORCORAN: Throughout the committee
18 process you had all of the rights of any member in
19 a committee process to participate in that way. As
20 far as specifically to Wednesday drawing, that was
21 just done by Chair Galvano and myself and those I
22 mentioned.

23 SPEAKER WEATHERFORD: For a follow up?

24 REPRESENTATIVE THURSTON: Thank you,
25 Mr. Speaker. In light of the Judge's ruling in

♀

1 terms of transparency and the other operatives who
2 on the Republican side who have been involved in
3 the process, do you think that it would have been
4 wise for all of us to participate?

5 I know the staff and all and worked for the
6 entire House, for us to have some input in the
7 drawing of these maps?

8 SPEAKER WEATHERFORD: Representative Corcoran.

9 CHAIRMAN CORCORAN: I believe, Leader
10 Thurston, that everyone had that opportunity to
11 participate, whether through question, whether
12 through the amendatory process, whether here today
13 on the floor. You are fully capable of
14 participating in that in detail.

15 It was a little bit different on two levels,
16 different on one level, but similar in another.
17 And that one, this is the Legislature, the body of
18 the Legislature, we are replying to a Court Order.
19 It was very specific. It was very tightly and
20 deliberately given by the Judge. And so it is
21 thought best that Chair Galvano and I get together
22 first and start looking at what could be done.

23 It is similar in this sense. When you have an
24 idea of a Bill that you want to do or you have a
25 Senate counterpart, you guys get together and work

♀

1 out and discuss what that Bill is like and you file
2 it in the House and they file it in the Senate, and
3 then every member in this entire body has the
4 ability to amend it, change it, discuss it or
5 debate it through the committee process, and that
6 was unchanged.

7 SPEAKER WEATHERFORD: Further questions?
8 Further questions? Representative Rouson for a
9 question.

10 REPRESENTATIVE ROUSON: Thank you very much,
11 Mr. Speaker. Representative, you indicated in your
12 introductory remarks that this map maintains the
13 minority community ability to elect a candidate of
14 their choice. Can you expound on that in terms of
15 how that happens?

16 SPEAKER WEATHERFORD: Representative Corcoran.

17 CHAIRMAN CORCORAN: Yes, it, basically it is a
18 longer answer, Representative Rouson. I will start
19 short and then if you have follow ups I will be
20 glad to answer it.

21 But in essence, both in our goal and in our
22 State Constitution and the Voter Rights Act we have
23 to comply with, in essence, Section II of the
24 delusion standard and Section V of the diminishment
25 standard of the Constitution and the Florida Voter,

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

13

1 the Federal Voting Rights Act.

2 So in that context you look at the benchmark

3 plan. The benchmark plan in essence, is that
4 congressional, for any district, in this situation,
5 Congressional District 5. You put in the 2010
6 population census and you look at those criteria
7 and it is a multitude of criteria. We specifically
8 in looking at the BVAP in that benchmark plan it
9 was 49.9.

10 In our map that we have before you, it is
11 48.11. In the ruling by the Judge, he had ruled
12 that 48.03 which was an initial House map of 9043
13 did comply with the standard, the Tier 1 standards
14 in the Constitution. And so when I say that we
15 have complied, at 48.11 it is more than the Court
16 has already said was acceptable and it is a -- it
17 does not -- it is in the same range as the
18 benchmark plan.

19 SPEAKER WEATHERFORD: For a follow up.

20 REPRESENTATIVE ROUSON: Thank you very much,
21 Mr. Speaker. During the process where you
22 indicated where you and Senator Galvano worked with
23 staff, both House and Senate, to draw this map,
24 were any outside experts pulled in that gave input
25 during that time period?

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

14

1 SPEAKER WEATHERFORD: Representative Corcoran.

2 CHAIRMAN CORCORAN: No, Representative, the
3 list I gave you was 100 percent of the people to
4 the best of my recollection that were in that room.
5 We are in transition in the House between our

6 current inside House counsel leaving and a new one
7 coming on. So at different points the new inside
8 counsel was in the room, too, but other than that
9 everyone I listed was who was in the room.

10 SPEAKER WEATHERFORD: Representative Rouson.

11 REPRESENTATIVE ROUSON: Thank you very much,
12 Mr. Speaker. Folks are probably wondering because
13 of some of the language that Judge Lewis used. But
14 were any political parties, Republican, Democrat,
15 Independent or any political parties involved in
16 that part of the process of drawing the map?

17 SPEAKER WEATHERFORD: Representative Corcoran.

18 CHAIRMAN CORCORAN: No, Representative, I
19 appreciate your concerns, but again I gave you
20 exactly who was involved.

21 SPEAKER WEATHERFORD: Representative Saunders.

22 REPRESENTATIVE SAUNDERS: Thank you very much,
23 Mr. Speaker, thank you for that explanation, chair
24 Corcoran. I want to make sure that I heard this
25 right when you shared it earlier.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

15

1 The black voting age population in House
2 District 5 before this map was introduced was 49.9
3 percent, is that correct?

4 SPEAKER WEATHERFORD: Representative Corcoran.

5 CHAIRMAN CORCORAN: Yes, in the benchmark
6 plan, that is correct.

7 SPEAKER WEATHERFORD: For a follow up.

8 REPRESENTATIVE SAUNDERS: Thank you,

9 Mr. Speaker. And I believe what else I heard you
10 say is this shifts HD 5, the Congressional District
11 5 to 48.11.

12 Representative Corcoran, I am interested in
13 the Hispanic voting age populations in some of the
14 districts that have been shifted around here. Do
15 you know what the Hispanic voting age population is
16 currently for HD 5, for Congressional District 5
17 and what it will become in this new map if it is
18 passed today?

19 SPEAKER WEATHERFORD: Representative Corcoran.

20 CHAIRMAN CORCORAN: 10.29.

21 SPEAKER WEATHERFORD: Representative Saunders.

22 REPRESENTATIVE SAUNDERS: I am going to assume
23 that is what it would be in this map, 10.29 is for
24 the map if we passed it today, is that correct?
25 Okay.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

16

1 I noticed that there are some fairly
2 substantive changes to a few other districts, and
3 the one I am focused on next is Congressional
4 District 9 which for the members on the floor is a
5 Congressional District that currently covers almost
6 all of Osceola County. It scoops up into Orange
7 County, it actually covers part of my district, and
8 it is a seat that has a very high population of
9 Hispanic voting age voters.

10 Can you share, Representative Corcoran, what
11 the current exact Hispanic voting age population is

12 for Congressional District 9 and what it would be
13 if your map were to pass today?

14 SPEAKER WEATHERFORD: Representative Corcoran.

15 CHAIRMAN CORCORAN: Well, I will separate what
16 you are asking. First of all, there is only one
17 map that is covered by Tier 1 standards, one
18 district covered by Tier 1 standards in the -- in
19 our Florida Constitution or the Voter Rights Act.
20 None of the other six districts are affected.

21 So looking, so there is no benchmark for
22 District 9, but now moving to the map that was
23 invalidated, I believe the Hispanic population was
24 about 42 percent and we go down to 38.37.

25 SPEAKER WEATHERFORD: Representative Saunders.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

17

1 REPRESENTATIVE SAUNDERS: Thank you,
2 Mr. Speaker, and thank you about that explanation
3 about the Tier 1 standard. I can share with you
4 that I have concerns about whether or not we meet a
5 diminishment standard or not, diminishing the
6 ability of Hispanics in Congressional District 9 to
7 represent, to choose a candidate of their choice.

8 And so my question for you is, by shifting
9 Congressional District 9 around and shifting some
10 Hispanic voters out of that district, is it your
11 opinion that this map would diminish the ability of
12 Hispanics in central Florida to elect a candidate
13 of their choice?

14 SPEAKER WEATHERFORD: Chair Corcoran.

15 CHAIRMAN CORCORAN: The diminishment standard
16 only applies to those districts covered by Tier 1
17 of the Voter Rights Act. District 9 is not
18 covered.

19 SPEAKER WEATHERFORD: For a follow up.

20 REPRESENTATIVE SAUNDERS: Thank you,
21 Mr. Speaker. I agree with that assessment that
22 that standard would not apply to Congressional
23 district 9, but moving out of legalese, do you
24 think it is fair to say that if there were less
25 Hispanic Congressional District 9 it is less likely

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

†

18

1 that Hispanic voters could select a candidate of
2 choice which would represent their community?

3 SPEAKER WEATHERFORD: Representative Corcoran.

4 CHAIRMAN CORCORAN: The problem, I am a
5 lawyer, this is why we all have a bad reputation,
6 but I can't take the word, when you are using
7 Voting Rights Act and Tier 1 standards, terms of
8 art in your question, since it is not a Tier 1 or a
9 Voter Rights Act protected district, the language
10 that you are using is specific to the Voter Rights
11 Act and Tier 1. So the answer is no, I cannot
12 agree to that.

13 SPEAKER WEATHERFORD: For a follow up.

14 REPRESENTATIVE SAUNDERS: Thank you, Chair. I
15 will try to rephrase the question to move as far
16 away from those words as possible.

17 Do you think that if a district has less

18 Hi spanic voters in it they are less likely to elect
19 a Hi spanic candi date?

20 SPEAKER WEATHERFORD: Chair Corcoran.

21 CHAIRMAN CORCORAN: I think we are just going
22 to go back and forth, but it is not an issue in
23 this case at all or what we have put forth before
24 you.

25 SPEAKER WEATHERFORD: Further questions?

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

†

19

1 Representative Slosberg for a question.

2 REPRESENTATIVE SLOSBERG: Thank you,
3 Mr. Speaker. Representative Corcoran, who exactly
4 drew this map?

5 SPEAKER WEATHERFORD: Representative Corcoran.

6 CHAIRMAN CORCORAN: That was the -- the
7 initial criteria that I went through and gave you.
8 I mean, basically, it was Senator Galvano, their
9 Senate technical staff, our House technical staff,
10 myself, house inside counsel for both bodies and
11 house outside counsel for both bodies, and that was
12 the list.

13 I added for Representative Rouson's question,
14 that we also had the incoming counsel for the House
15 was in the meetings at different points in time.

16 SPEAKER WEATHERFORD: For a follow up.

17 REPRESENTATIVE SLOSBERG: Were any Democrats
18 involved in drawing this map?

19 SPEAKER WEATHERFORD: Representative Corcoran.

20 CHAIRMAN CORCORAN: Leader Thurston asked that

21 question, too, and I answered that. But it went
22 through the committee process and every member in
23 this body, Republican or Democrat, was able to
24 participate through the committee process, whether
25 it be questions or amendatory process and also here

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

†

20

1 on the floor and that remains unchanged.

2 SPEAKER WEATHERFORD: For a follow up.

3 REPRESENTATIVE SLOSBERG: Well, let me make
4 myself a little clearer. I think that you said
5 specifically you were involved and Galvano was
6 involved. And so I guess what, since you named,
7 you know, yourself as a member of this political
8 body specifically drawing the map, were any
9 Democrats and, if so, the names of the Democrats
10 who were involved in drawing the map?

11 SPEAKER WEATHERFORD: Representative Corcoran.

12 CHAIRMAN CORCORAN: And again, Representative,
13 to Leader Thurston's question, this is a little bit
14 unique in the fact that we are following a Court
15 Order. So Senator Galvano thought it was best that
16 we move forward and get it done in the manner that
17 we did.

18 But secondly, it is absolutely similar to
19 every Bill. Every Bill that you file,
20 Representative Slosberg, you don't send to my
21 office and ask for my input prior to you getting
22 with your Senate sponsor and both of you filing it.

23 Once it is filed and it goes through the

24 committee process, then like any other member, I
25 have the right to amend it, ask questions, et

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

21

1 cetera.

2 SPEAKER WEATHERFORD: For a follow up.

3 REPRESENTATIVE SLOSBERG: I just asked you for
4 a yes or no answer. The question is, again, were
5 any Democrats specifically involved in drawing this
6 map, physically drawing the map, and it is either a
7 yes or a no, and who were they?

8 SPEAKER WEATHERFORD: Representative Corcoran.

9 CHAIRMAN CORCORAN: Specifically the answer to
10 your question is, every Democrat that was on the
11 committee, any Democrat that wanted to participate
12 through asking questions through the members of the
13 committee. Any Democrat that is in the Chamber
14 today had full opportunity to participate in the
15 drawing of the map that is before you today through
16 the amendatory process, through questions.

17 Now, was it initially Senator Galvano and
18 myself and those people I outlined, yes, and that
19 is no different than how every single member in
20 this Chamber, Republican or Democrat, files their
21 Bills.

22 SPEAKER WEATHERFORD: For a follow up.

23 REPRESENTATIVE SLOSBERG: So I assume the
24 answer is no because, you know, I don't know, this
25 is like a minutia. I just asked for a yes or no

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491
Page 19

1 answer, and I like you won't give me a yes or no
2 answer. So I will go on to the next question.

3 What were the names of the staff members and
4 the attorneys, what are their names specifically
5 who were involved in drawing the map?

6 SPEAKER WEATHERFORD: Representative Corcoran.

7 CHAIRMAN CORCORAN: Just going backwards,
8 Representative Slosberg, because I would never want
9 you to think I didn't answer your question. The
10 answer to your question is, yes, every Democrat had
11 an opportunity to fully participate in the process.
12 And no, and no, the initial drawing of the map was
13 done by Senator Galvano and I as every member does
14 their Bills.

15 Now, to your specific question, I might get, I
16 will do my best with names. The House General
17 Counsel is Daniel Broby. The new General Counsel
18 is Matt, Matt Carson, myself. Were you here when I
19 named the staff initially in the outline, Jason
20 Preda, Jeff Tackett and Jeff Silver for the House
21 technical staff, outside counsel was George Meros
22 and Andy Bardos.

23 For the Senate it was Senator Galvano, their
24 technical staff, which was John Guthrie and Jay
25 Ferring. Their outside counsel, their inside

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

1 counsel is George Levesque, their outside counsel
Page 20

2 was Justice Cantero. I think that is everybody.

3 SPEAKER WEATHERFORD: Representative Slosberg.

4 REPRESENTATIVE SLOSBERG: Representative
5 Corcoran, could you have possibly drawn this map by
6 yourself?

7 SPEAKER WEATHERFORD: You are recognized.

8 CHAIRMAN CORCORAN: Sure, but we had a
9 deadline on Friday at noon by Judge, the Judge's
10 Order and I am not sure maybe I would have gotten
11 to that deadline, but yes. I mean, anybody, we
12 have had people in the public, we have had
13 teenagers who have submitted plans and used My
14 District Builder and built a map.

15 SPEAKER WEATHERFORD: For a follow up.

16 REPRESENTATIVE SLOSBERG: In other words, you
17 needed a whole team to do this, correct?

18 SPEAKER WEATHERFORD: Representative Corcoran.

19 CHAIRMAN CORCORAN: I, looking at the Judge's
20 Order, looking at the deadline I thought as
21 Chairman of the committee that the most expedited
22 way to get a map before the members so that they
23 could have input was the best course of action for
24 the institution and the House of Representatives.

25 SPEAKER WEATHERFORD: For a follow up.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

24

1 REPRESENTATIVE SLOSBERG: So let's assume that
2 the Senate map comes over here, and let's assume
3 that I wanted to file an amendment to the Senate
4 map. Will I have all of those lawyers and all of

5 the staff people at my disposal to draw an
6 amendment to the map?

7 SPEAKER WEATHERFORD: Chair Corcoran.

8 CHAIRMAN CORCORAN: Yes.

9 SPEAKER WEATHERFORD: It sounds like you got
10 some work to do, Representative Slosberg. Further
11 questions? Further questions. Representative
12 Bracy for a question.

13 REPRESENTATIVE BRACY: Thank you, Mr. Speaker.
14 Chair Corcoran. The Judge was clear that a
15 north/south configuration of CD 5 was not ideal.
16 Why did you and your team continue to go with this
17 north/south configuration when that was not what
18 the Judge said he felt was best in his opinion?

19 SPEAKER WEATHERFORD: Representative Corcoran.

20 CHAIRMAN CORCORAN: Representative Bracy, with
21 all due respect, I disagree. I don't think the
22 Judge said that at any point in time.

23 SPEAKER WEATHERFORD: For a follow up.

24 REPRESENTATIVE BRACY: Okay. As you have CD 5
25 currently, I believe it cuts through about seven

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

25

1 different counties. In the east/west configuration
2 it keeps more counties whole.

3 Considering the criteria to keep counties and
4 municipalities whole when possible, why did you
5 choose to go with the configuration that you drew
6 up?

7 SPEAKER WEATHERFORD: Representative Corcoran.

8 REPRESENTATIVE BRACY: The configuration that
9 we drew up, we looked at the Judge's Order and we
10 wanted to keep it as narrow as possible, and when
11 you look at the Judge's Order the Judge did not
12 have issue with what you are -- the issues you are
13 describing.

14 The Judge had issue with the compactness and
15 in part, the intent. And so when we convened for a
16 special session included in the call the focus was
17 to comply with the Judge's Order. We had to fix
18 the compactness of 5. We had to address what he
19 inferred intent from, which was the appendage that
20 went into Seminole County, and only those districts
21 necessary that surrounded it.

22 He even went to great lengths to say that to
23 do anything more than that would be as the Supreme
24 Court said in apportionment one, would be, I can't
25 say their exact language, but would be a gross

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

26

1 waste of time, and only, and only encourage more
2 litigation.

3 And I am exaggerating in their words, I can
4 get the exact words for you. I will read it for
5 you. I might need glasses, sorry Representative
6 Bracy.

7 "That does not mean, however, that portions of
8 the map not affected by those individual districts
9 found to be improperly drawn would need to be
10 changed in a redrawn map. Even if the general

11 intent to favor or disfavor a political party or
12 incumbents was proven, what would be the point if
13 the other districts are otherwise in compliance.
14 Such a remedy would go for beyond correcting the
15 effect of such non-compliance but rather would
16 require a useless act that would encourage
17 continued litigation. I don't think I over
18 exaggerated too much there, Representative Waldman.

19 SPEAKER WEATHERFORD: Follow up.

20 REPRESENTATIVE BRACY: Thank you, thank you,
21 Mr. Speaker. So I know that you didn't want an
22 east/west configuration. So I just want to compare
23 it the two a little with the BVAP scores. So in an
24 east/west configuration that the House counsel
25 presented in his presentation last week, there was

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

27

1 a 45 percent BVAP, and your current proposal I
2 believe is a 48 percent BVAP.

3 Why is -- could you prove why the 45 percent
4 BVAP is considered a diminishment and 48 percent
5 isn't?

6 SPEAKER WEATHERFORD: Representative Corcoran.

7 CHAIRMAN CORCORAN: I will go down that, I
8 would go down that line of questions with you, but
9 here is the reality. You are asking me, now you
10 are asking me questions about a map that hasn't
11 even been offered as an amendment to which I am not
12 a sponsor of.

13 I will answer questions related to the map

14 that I put forth and not in some comparison to a
15 map that is not before this body. But to the map
16 that is the put before you, our BVAP is 48.11. The
17 BVAP in the benchmark which is required to be
18 compared to, was 49.9. And the Judge's opinion in
19 this case had said that a BVAP of 48.03 was not
20 diminishment. So we are well, we are above what
21 this Judge in his Order has already said is not
22 diminishment.

23 SPEAKER WEATHERFORD: Further questions?
24 Representative Zimmermann for a question.

25 REPRESENTATIVE ZIMMERMANN: Thank you,

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

28

1 Mr. Speaker. Representative, during the drawing of
2 these maps did you or anybody else know what the
3 political registration was in these different
4 districts?

5 SPEAKER WEATHERFORD: Representative Corcoran.

6 CHAIRMAN CORCORAN: No, the only time that
7 political data was taken into consideration as
8 required by law was to do the functional analysis
9 in Congressional District 5. That was the only
10 time.

11 SPEAKER WEATHERFORD: Follow up.

12 REPRESENTATIVE ZIMMERMANN: Thank you,
13 Mr. Speaker. So do you know the political break,
14 the party registration break down now for the
15 proposed districts?

16 SPEAKER WEATHERFORD: Representative Corcoran.

17 CHAIRMAN CORCORAN: From the point that I got
18 to Tallahassee until now I have not looked at any
19 of that data beyond Congressional District 5. I
20 did read some newspaper articles that talked about
21 some things, but I have not looked at any of the
22 data.

23 SPEAKER WEATHERFORD: Further questions?
24 Representative Clarke-Reed for a question.
25 Representative Clarke-Reed for a question. How

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

29

1 about we try Representative Clarke-Reed from
2 Representative Betty Reed's desk.

3 REPRESENTATIVE CLARKE-REED: Thank you,
4 Mr. Speaker. Representative Corcoran, is every
5 member of this Legislature expected to vote on this
6 map?

7 SPEAKER WEATHERFORD: Representative Corcoran.

8 CHAIRMAN CORCORAN: If you, I think if I -- I
9 don't have the House rules before me,
10 representative Clarke-Reed, but if you were on the
11 floor and at your desk you are supposed to vote on
12 this map.

13 SPEAKER WEATHERFORD: Representative
14 Clarke-Reed for a follow up.

15 REPRESENTATIVE CLARKE-REED: And
16 Representative Corcoran, if every member of this
17 Legislature is at his or her desk and expected to
18 vote on this map, should every member of this
19 legislative body been able to ask a question in the

Page 26

20 committees?

21 SPEAKER WEATHERFORD: Representative Corcoran.

22 CHAIRMAN CORCORAN: You know, Representative
23 Clarke-Reed, I am a purist, and I think that the
24 historical way that we have gotten to the way we
25 run our committees, the way we run the floor, it is

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

30

1 done for many reasons. The rules, I have always
2 learned when I was in the minority party as a
3 staffer, that the rules existed to protect the
4 minority. It is one of the primary purposes of the
5 rules.

6 The committee process in allowing those people
7 to have that opportunity. And so nowhere for the
8 sake of organization would it make sense for 120
9 members to sit on every committee. We would never
10 to be able to get anything done. So in this
11 particular process what I have always said, in
12 fact, I joke about it about myself and you have
13 been on my committees, Representative Clarke-Reed,
14 whether it is the P-Pocket committee or the
15 healthcare committee, I leave the House as a
16 Chairman. I don't know if this is a good thing or
17 a bad thing, but I lead the House as a Chairman and
18 asking the Speaker for extensions in my committee
19 because of the quantity of time I give members to
20 answer questions and the quantity of time I give
21 the public to present.

22 And so when you are looking at this committee
Page 27

23 process, I made it clear to the Leader, I made it
24 clear to Representative Waldman, that every single
25 member would have full opportunity to ask any

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

31

1 questions that they wanted, but they were going to
2 do it through our rules and the committee process.

3 So when we had the Joint Committee with Chair
4 Galvano, and it looked like we were going to finish
5 early, even though we had scheduled a six-hour
6 meeting, I went back to Leader Thurston, I said has
7 everyone gotten their questions answered? I wanted
8 to make sure that that is not at issue, and Leader
9 Thurston said many members had come to him and
10 those questions were being asked through members on
11 the committee. And the same thing applied to the
12 committee that we had here in the House.

13 So every single member, nobody has come to me
14 and said they did not have an opportunity to get
15 their question answered or asked.

16 SPEAKER WEATHERFORD: For a follow up.

17 REPRESENTATIVE CLARKE-REED: Was it not
18 possible that because we ended early and you saw
19 the time, we were not using the full time, and when
20 Senator Galvano asked were there anymore questions,
21 that at that time a member should not have --
22 should have been given the opportunity to ask a
23 question?

24 SPEAKER WEATHERFORD: Representative Corcoran.

25 CHAIRMAN CORCORAN: I think that Chair

♀

1 Galvano, like myself, is a purist who believes in
2 that structure, and the question was being asked
3 even after I had asked the Leaders, is there anyone
4 else had another question, then one did come, but
5 it was from a non member of the committee, and as
6 soon as that committee was over I went straight to
7 that member because it was a House member and said,
8 what was your question, I will answer it for you
9 right now and I did answer their question.

10 SPEAKER WEATHERFORD: For a follow up.

11 REPRESENTATIVE CLARKE-REED: Representative
12 Cochran, I attended 26 hearings, and out of those
13 26 hearings what has changed on this map and what
14 has changed with the structure of the people who
15 were involved in drawing the map that was enacted
16 before?

17 SPEAKER WEATHERFORD: Representative Corcoran.

18 CHAIRMAN CORCORAN: If I understand your
19 question correctly, Representative Clark-Reed, and
20 obviously I would say applaud all those members who
21 participate education in the 26 public hearings,
22 participated in the congressional drawing of the
23 map, participated on the floor in negotiations with
24 the Senate, the reality is the Judge clearly said
25 that 25 of our 27 districts were validated.

♀

1 So obviously we, you know, it was a well done
2 process. The other thing the Judge did was praise,
3 and I will find that part for you if you would like
4 me to read it, but praised specifically by name
5 Jason Preda, who else was it, oh, John Guthrie and
6 Alex Kelly who is no longer here, who was the
7 overall staff. He praised them and he also praised
8 their bosses who were directing them as keeping
9 them insulated from this political thing that went
10 on around them, and praised them for putting forth
11 their earnestness, their honesty and their clear
12 testimony that they were -- their discipline to
13 comply with the law.

14 So all that being said, where we are with the
15 Judge's Order is all of that input for the 26
16 meetings is still in this map. All of the debate,
17 all of those questions, 20 of the 27 districts are
18 unchanged from a map that -- from districts that
19 were viewed as valid by the Court. So all of that
20 is still in the underlying foundation of the map
21 before you.

22 SPEAKER WEATHERFORD: For a follow up.

23 REPRESENTATIVE CLARKE-REED: Thank you,
24 Mr. Speaker. So those persons were involved with
25 the drawing of these same two districts that we are

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

34

1 here discussing today. Those persons that you have
2 just named, they were still involved in drawing

3 these other two districts, redrawing of these
4 districts?

5 SPEAKER WEATHERFORD: Chair Corcoran.

6 CHAIRMAN CORCORAN: Yes, and I would say this,
7 Representative Clark-Reed, when you have a Judge
8 that singles out people by name and praises them
9 for following the law and doing an honorable job, I
10 think it is -- it is a, something this entire body
11 should recognize was a -- was a great piece of
12 recognition for the hard working staff that we have
13 and how well they comply with all of the
14 requirements, whether it be by law or de quorum.

15 SPEAKER WEATHERFORD: For a follow up.

16 REPRESENTATIVE CLARKE-REED: Representative
17 Cochran, my question to you again, are those
18 persons involved in drawing these two new
19 districts?

20 SPEAKER WEATHERFORD: Representative Corcoran.

21 CHAIRMAN CORCORAN: Yes, and what I am saying
22 they are, and I am saying proudly, I am glad they
23 are.

24 SPEAKER WEATHERFORD: Further questions?

25 Further questions? Representative Edwards for a

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

35

1 questi on.

2 REPRESENTATIVE EDWARDS: Thank you,
3 Mr. Speaker. How is mom and baby doing? Good?

4 CHAIRMAN CORCORAN: Three weeks out.

5 REPRESENTATIVE EDWARDS: Good deal. Chair man

6 Corcoran, I think I am saying your last name
7 correctly, right? We are back here on the floor
8 today during a special session, and I recognize
9 that the Judge has praised the staff who helped in
10 earlier efforts to get us to the maps that the
11 Court has said don't comply with the Fair Districts
12 Amendment.

13 But I want to get a sense of trust, so when I
14 go back home to my constituents I can tell them
15 that the taxpayer dollars we are spending here
16 today were in good effort.

17 I want to direct us to page 23 if it is okay
18 with you, Chair Corcoran, of the Final Judgment and
19 I want to ask you about the destruction of record.
20 While I recognize that the Judge says that we are
21 under no legal duty on our part to keep those
22 records, I want to ask you, Chair Corcoran, what we
23 are doing this time around to make sure that all of
24 the things that went into crafting what you would
25 like for us to vote on have not been destroyed or

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

36

1 altered in any way?

2 SPEAKER WEATHERFORD: Chair Corcoran.

3 CHAIRMAN CORCORAN: I would have to go back
4 and look and that is a great question,
5 Representative, but I am pretty sure I either did
6 it in a memo or we sent it out through the
7 Speaker's office under my name. I told all the
8 committee members, myself included, because of that

9 page that you pointed out, not to destroy any
10 records.

11 SPEAKER WEATHERFORD: For a follow up.

12 REPRESENTATIVE EDWARDS: Thank you,
13 Mr. Speaker. And I recognize and I appreciate your
14 e-mail, but I believe it was an aspirational
15 goal, if you will, that there is no legal duty,
16 there is nothing in statute short of the Sunshine
17 Law, I don't think the Sunshine Law has changed
18 significantly since 2012, when that map was
19 initially voted on.

20 So what sense of trust do I have that
21 something has gone completely different than what
22 happened in 2012, because clearly the Final Order
23 finds that records were destroyed?

24 SPEAKER WEATHERFORD: Representative Corcoran.

25 CHAIRMAN CORCORAN: And just clarifying the

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

37

1 last point. He recognized that records were
2 destroyed, but it was completely within the course
3 of business. So in this situation what we said was
4 in the regular course of business for all of those
5 members, all staff, in addition to conversations
6 that should not be had with different entities in
7 the memo, was it retain those records. And as far
8 as I know everyone has done that, myself included.

9 SPEAKER WEATHERFORD: For a follow up.

10 REPRESENTATIVE EDWARDS: Thank you,
11 Mr. Speaker. Earlier when I believe Representative

12 Slosberg, that is how you say your last name,
13 right, Slosberg, we are having some confusion
14 today. When we were talking about this being a
15 Bill just like any other Bill that is filed during
16 any other session, would you agree that we are in a
17 special session to address something that is
18 probably a bit more consequential than any other
19 Bill that we have filed?

20 So I would ask you with the concerns that we
21 have raised, in hindsight would it have made sense
22 to involve perhaps the Minority Leader or some
23 Democrats in a meeting with you and Galvano to
24 craft the Bill that you would bring back to the
25 committee?

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

38

1 SPEAKER WEATHERFORD: Representative Corcoran.

2 CHAIRMAN CORCORAN: I agree with you that this
3 is a special session and that anything about a
4 special session is the only things that can be
5 discussed. The only committees that can be had are
6 those things that are within the call, and it is
7 one Bill, and now we have added I think a
8 resolution, but maybe two Bills that are within
9 that call.

10 And so you do have an opportunity with every
11 single member even if they are not on the committee
12 can go and listen and participate. You do have
13 this situation. I don't remember a second reading
14 being this focused, and it is because it is a

15 special session we are dealing with one specific
16 issue.

17 To your point, your question directly, I think
18 I have answered that, Representative Edwards, and I
19 am very satisfied with the process that we, that we
20 went through.

21 SPEAKER WEATHERFORD: For a follow up.

22 REPRESENTATIVE EDWARDS: Thank you,
23 Mr. Speaker. I will just ask one final question
24 again before we move forward in our debate and
25 prepare to vote on this.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

39

†

1 I wasn't here in 2012. We voted upon the map
2 that the Court has now decided that two of those
3 are unconstitutional and I have read the Final
4 Order and I am placing a significant level of trust
5 in the individuals who have crafted and drawn these
6 amendments to the maps, that you have come back to
7 us with a sense of humility and that you have taken
8 to heart what the Judge has said and the reason why
9 he is saying it.

10 Can you tell me as a member why I should trust
11 these maps that have been drawn? As a minority
12 member, these maps that have been drawn by the
13 Majority party and placed my confidence that we are
14 not going to have the maps struck down or be found
15 unconstitutional yet again?

16 SPEAKER WEATHERFORD: Representative Corcoran.

17 CHAIRMAN CORCORAN: Representative, I will

18 definitely answer for myself and to the extent that
19 I have presented today and have not come across
20 with an air of humility, I certainly apologize. My
21 wife says I should smile more and then I would look
22 like a nicer more humble person.

23 But your question I will tell you that, you
24 know, I aspire to have great integrity. I think I
25 laid out in a memo a level of criteria and a level

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

40

1 of rules to follow that were not done in 2012. We
2 live by those rules. I have tried to set an
3 example myself and, and I would hope Representative
4 Edwards, as we all do, take each other at our words
5 and I am sure at some point, too, even beyond that
6 there will be depositions where I will be under
7 oath and have to testify.

8 But everything I have said today will be
9 identical to what I would say under oath.

10 SPEAKER WEATHERFORD: Further questions?
11 Representative Stark, for a question.

12 REPRESENTATIVE STARK: Thank you, Mr. Speaker.
13 Representative Corcoran, the Final Judgment was
14 just over a month ago. Can you explain what the
15 thinking was why we took so long to get to a
16 special session now?

17 SPEAKER WEATHERFORD: Representative Corcoran.

18 CHAIRMAN CORCORAN: I think there is two
19 things you have to look at. I think it was
20 August 1st, was when we had the Final Order

21 instructing us to go, both the Secretary of State
22 and the Supervisors of Elections to deal with their
23 elections issues and us to deal with the parts that
24 were invalidated.

25 SPEAKER WEATHERFORD: For a follow up.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

41

1 REPRESENTATIVE STARK: Thank you, Mr. Speaker.
2 When did the work actually begin on the PCB that we
3 are seeing today?

4 SPEAKER WEATHERFORD: Representative Corcoran.

5 CHAIRMAN CORCORAN: I got here, if I remember
6 correctly, I left Pasco County late, with six kids
7 you try to maximize the time you have with them,
8 but I got here probably at 2:00 in the morning,
9 2:30 in the morning, some late hour on Monday
10 night, and I was here Tuesday working with House
11 staff and Wednesday with Senate staff, if I recall
12 correctly.

13 SPEAKER WEATHERFORD: Further follow up.

14 REPRESENTATIVE STARK: Thank you, Mr. Speaker.
15 Just the last question. Do you believe that we had
16 enough time to really make an objective decision
17 here that will be approved by the courts?

18 SPEAKER WEATHERFORD: Representative Corcoran.

19 CHAIRMAN CORCORAN: I will say, Representative
20 Stark, I believe that the map that we have before
21 us, if I was given another week, it is an excellent
22 map that complies with the Judge's Order and makes
23 significant improvements over the map that was

24 i n v a l i d a t e d a n d m a k e s s i g n i f i c a n t i m p r o v e m e n t s o v e r
25 t h e m a p t h a t t h e J u d g e p r a i s e d a s b e i n g i n a m o r e

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

42

1 f a v o r a b l e l i g h t t h a n t h e o n e t h a t w a s i n v a l i d a t e d.

2 T h i s m a p b e a t s b o t h o f t h o s e , a n d I t h i n k i t
3 i s a n e x c e l l e n t m a p , a n d e v e n g i v e n m o r e t i m e I a m
4 v e r y , v e r y p r o u d o f t h e p r o d u c t t h a t w e h a v e p u t
5 f o r t h b e f o r e t h i s b o d y .

6 S P E A K E R W E A T H E R F O R D : F u r t h e r q u e s t i o n s ?
7 R e p r e s e n t a t i v e D a n i s h f o r a q u e s t i o n .

8 R E P R E S E N T A T I V E D A N I S H : T h a n k y o u ,
9 M r . S p e a k e r . I a m g o i n g t o f o l l o w u p o n
10 R e p r e s e n t a t i v e E d w a r d s ' q u e s t i o n , R e p r e s e n t a t i v e
11 C o r c o r a n . W h e n w e l o o k a t t h e p e o p l e w h o w o r k o n
12 t h e m a p , I a m c u r i o u s t o k n o w , h o w m a n y o f t h o s e
13 p e o p l e w o r k e d o n t h e m a p i n 2 0 1 2 , a n d h o w m a n y o f
14 t h e m a r e n e w t o w o r k i n g o n t h e m a p s ?

15 S P E A K E R W E A T H E R F O R D : R e p r e s e n t a t i v e C o r c o r a n .

16 C H A I R M A N C O R C O R A N : I w a s n ' t h e r e i n 2 0 1 2 , a n d
17 I w a s n ' t i n v o l v e d i n t h e p r o c e s s l i k e I w a s i n t h e
18 s p e c i a l s e s s i o n o f d r a w i n g t h e m a p s . I d o , a s f r o m
19 t h e C o u r t O r d e r , o b v i o u s l y A l e x K e l l y a n d J a s o n
20 P r e d a , A l e x i s n o l o n g e r i n t h e H o u s e . S o h e d i d
21 n o t , w a s n o t i n v o l v e d i n t h i s p a r t o f t h e p r o c e s s ,
22 b u t J a s o n w a s w o r k i n g o n c o n g r e s s i o n a l m a p s i n
23 2 0 1 2 , a n d w a s i n v o l v e d i n t h i s p r o c e s s .

24 S P E A K E R W E A T H E R F O R D : F u r t h e r q u e s t i o n s .

25 R E P R E S E N T A T I V E D A N I S H : I w a s n ' t .

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

1 SPEAKER WEATHERFORD: I am sorry, for a follow
2 up. Representative Danish, you are recognized.

3 REPRESENTATIVE DANISH: Thank you,
4 Mr. Speaker. I guess just more or less I wanted to
5 find out, I know -- I don't need it by names, but
6 if we can find out from the total number of people
7 working on it, how many of the total number of
8 people working on it worked on the 2012, and how
9 many did not work on it in 2012, that worked on
10 this one, if we can be able to get that number.
11 Thank you.

12 SPEAKER WEATHERFORD: Further questions?
13 Representative Torres.

14 REPRESENTATIVE TORRES: Yes, Mr. Speaker.
15 Representative, during the select committee meeting
16 this past Friday, a motion to swear in those
17 providing testimony failed to pass. Why?

18 SPEAKER WEATHERFORD: Representative Corcoran.

19 CHAIRMAN CORCORAN: All motions are at the
20 discretion of the committee and I thought that the
21 committee felt that that wasn't necessary.

22 SPEAKER WEATHERFORD: For a follow up.

23 REPRESENTATIVE TORRES: Thank you,
24 Mr. Speaker. Representative, also on that day
25 Representative Thurston proposed an amendment or

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

1 offered an amendment during the House Select
Page 39

2 Committee that it appeared to resolve Judge Lewis'
3 concerns and it wasn't addressed. Why?

4 SPEAKER WEATHERFORD: Representative Corcoran.

5 CHAIRMAN CORCORAN: Representative, if you go
6 back and listen, I mean, there was numerous
7 questions about the amendment that was offered.
8 There was debate about the amendment offered, but
9 the short answer to your question is the amendment
10 that was offered failed on every single metric
11 outlined by the Court for -- against the map that
12 is before you.

13 SPEAKER WEATHERFORD: Further questions?
14 Representative Berman for a question.

15 REPRESENTATIVE BERMAN: Thank you,
16 Mr. Speaker. Chair Corcoran, was the map modified
17 by any legislators other than yourself and Senator
18 Galvano?

19 SPEAKER WEATHERFORD: Chair Corcoran.

20 CHAIRMAN CORCORAN: I can't speak for what
21 input the Senators had with Chair Galvano, but I do
22 know he was talking to at least Senator Gaetz and
23 coming back with input. And as I said in
24 committee, I do know that I would constantly go
25 back and report to the Speaker about how things

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

45

1 were going throughout the process, and then at some
2 point staff did take up once there was a finalized
3 map shortly in or around the time of while I was
4 heading to the Joint Committee, and showed him the

5 final map.

6 So beyond that, the answer to your question is
7 no, none that I am aware of.

8 SPEAKER WEATHERFORD: For a follow up.

9 REPRESENTATIVE BERMAN: Thank you,
10 Mr. Speaker. Who maintained custody of the map
11 prior to its being released to the committee at
12 2:30 or whatever time it was?

13 SPEAKER WEATHERFORD: Representative Corcoran.

14 CHAIRMAN CORCORAN: Staff, House staff.

15 SPEAKER WEATHERFORD: For a follow up.

16 REPRESENTATIVE BERMAN: Thank you,
17 Mr. Speaker. So to your knowledge did -- was
18 anyone in the room when the map was shared with the
19 House Speaker or the Senate President?

20 SPEAKER WEATHERFORD: Representative Corcoran.

21 CHAIRMAN CORCORAN: I actually believe I was
22 in talking to the Speaker when staff came up and
23 then I was heading to another meeting, and as I
24 recall, if that is the point in time that they
25 showed the Speaker the map which I imagine it was

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

46

1 because they had maps, then it was the only the
2 staffers that I have outlined in my presentation.

3 SPEAKER WEATHERFORD: Representative Berman.

4 REPRESENTATIVE BERMAN: Thank you,
5 Mr. Speaker. So just to sort of clarify this, did
6 anyone provide a hard copy of this map to any other
7 staff or visitors from outside of the legislative

8 process prior to being, it being published other
9 than the people that we have discussed to date?
10 SPEAKER WEATHERFORD: Representative Corcoran.
11 CHAIRMAN CORCORAN: No, no one that I am aware
12 of.
13 SPEAKER WEATHERFORD: For a follow up.
14 REPRESENTATIVE BERMAN: Thank you,
15 Mr. Speaker. Was the United States Department of
16 Justice notified of the changes that would occur in
17 Congressional District 5?
18 SPEAKER WEATHERFORD: Representative Corcoran.
19 CHAIRMAN CORCORAN: No.
20 SPEAKER WEATHERFORD: For a follow up.
21 REPRESENTATIVE BERMAN: Thank you,
22 Mr. Speaker. Was the Florida Department of State
23 notified of the changes that occurred under this
24 particular Bill?
25 SPEAKER WEATHERFORD: Representative Corcoran.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

47

1 CHAIRMAN CORCORAN: No, not that I am aware
2 of.
3 SPEAKER WEATHERFORD: For a follow up.
4 REPRESENTATIVE BERMAN: Thank you,
5 Mr. Speaker. We talked a little bit in committee
6 on Friday, about the proposed amendment map and how
7 it had a diminishment effect based on an analysis
8 under the Senate race, under the Meek race, and at
9 that time you did not have information how this map
10 would work under the same Meek race.

11 Since that time have you compiled that
12 information and could you please share it with us
13 if you have it?

14 SPEAKER WEATHERFORD: Representative Corcoran.

15 CHAIRMAN CORCORAN: I have it and I can give
16 you a copy, too, if you want, Representative
17 Berman. But if you look at the Meek race against
18 the 2002 benchmark seat, he got 48.08 percent, and
19 in this map it got 48.04 percent.

20 SPEAKER WEATHERFORD: Representative Berman.

21 REPRESENTATIVE BERMAN: Thank you,
22 Mr. Speaker. I hope that is not someone from
23 outside. Congressman Meek. When you gave us the
24 analysis the other day you said that, I believe it
25 went from 18 percent voting for Senator, for the --

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

48

1 for the Democratic candidate, down to one percent
2 advantage. So that was how the numbers were
3 presented.

4 Do you have similar numbers? These numbers
5 are slightly, it is different analysis and I was
6 wondering if you have it the same way that you
7 presented it to the committee on the amendment map.

8 SPEAKER WEATHERFORD: You are recognized.

9 CHAIRMAN CORCORAN: What we were talking
10 about, there was the margin of victory and the
11 margin of victory from the benchmark plan at a
12 running up we said 16, it was 15.93 to be exact,
13 and in the enacted map before you it is 15.45.

14 SPEAKER WEATHERFORD: Further questions?
15 Representative Rangel for a question.

16 REPRESENTATIVE RANGEL: Thank you,
17 Mr. Speaker. Representative, my question is, do
18 you not agree that we are here in special session
19 because we drew the district lines unfairly?

20 SPEAKER WEATHERFORD: Representative Corcoran.

21 CHAIRMAN CORCORAN: You know, counsel in the
22 joint meeting that we have in the Senate went into
23 a great, it was a great question by Rosa Rodriguez
24 walking him through how we kind of got here.

25 But the short answer to your question is no.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

49

1 I think the Judge obviously has looked and as the
2 Speaker has says, has had a very deliberative
3 process, and he has come to the conclusion that two
4 of the districts were invalid and that is why we
5 are here.

6 But I think if you go back and I won't bore
7 you with the explanation, but in the conversation
8 with Representative Rodriguez there really was a
9 tension at that end between 9043 and 9047 that was
10 a legitimate tension based on law.

11 SPEAKER WEATHERFORD: Representative Rangel.

12 REPRESENTATIVE RANGEL: Thank you,
13 Mr. Speaker. Representative, you had mentioned
14 something that we are not talking about District 9
15 because it is not part of the Order, but I have a
16 problem because District 9, and I am going to go

17 into my question with this, was split into Osceola
18 County, split into three different districts now
19 and diminishing the Hispanic vote.

20 Do you not think by diminishing the Hispanic
21 representation in District 9 will put us back in
22 the same boat?

23 SPEAKER WEATHERFORD: Representative Corcoran.

24 CHAIRMAN CORCORAN: I answered that earlier,
25 there was a line of questions, Representative, but

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

50

1 there was no diminishment in District 9.
2 Diminishment is something that is only afforded to
3 those districts that are covered under Tier 1 or
4 the Voter Rights Act and the Judge made it very
5 clear that it was not covered by either of those
6 standards. And so there can be no diminishment in
7 that district.

8 SPEAKER WEATHERFORD: For a follow up.

9 REPRESENTATIVE RANGEL: Thank you,
10 Mr. Speaker. So is there a possibility that by
11 doing this, let's say we accept this map and the
12 Judge looks at everything and says, well, you went
13 too far on District 9, is there a possibility that
14 he could still throw that out and say we are not
15 going to go with that map?

16 SPEAKER WEATHERFORD: Representative Corcoran.

17 CHAIRMAN CORCORAN: When it comes to District
18 9, no. The issue was 5 and 10, and the issue was
19 in essence compactness. And what we did with

20 District 9 helped us improve the compactness scores
21 of both districts.

22 SPEAKER WEATHERFORD: Representative Thurston.

23 REPRESENTATIVE THURSTON: Thank you, Mr.
24 Speaker. Representative, you know, one of the
25 questions that Representative Rangel was just

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

51

1 talking about in terms of diminishment of the
2 Hispanic vote, you know, the Judge made a lot of
3 findings in this.

4 And one of the findings was that some of the
5 discussions with the political operatives talked
6 about how do we split the Hispanic vote. It also
7 talked about at the beginning there was districts
8 that could elect up to four Democrats, many of whom
9 were in central Florida, and would have been
10 Hispanic.

11 Do you believe that the Judge's comments that
12 that was consistent with the unconstitutional
13 discussions with the operatives is something that
14 should be addressed?

15 SPEAKER WEATHERFORD: Representative Corcoran.

16 CHAIRMAN CORCORAN: Your -- I don't, you know,
17 I don't necessarily agree. I think what the Judge
18 said when it came -- what we did there was the
19 appendage in District 10, and that appendage, part
20 of the House's discussion and this is begin a line
21 of questions that Representative Rodriguez had with
22 the counsel, you know, so when you look at District

23 9 and there is clearly a growing Hispanic
24 population, but that Hispanic population largely
25 did not exist in 2010.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

52

1 Because of that the Court found it is not, it
2 didn't have Section II or Section V protections
3 under the Voter Rights Act or Article III, Section
4 20 of the Constitution. And so our argument was,
5 the House, was that we were trying to hasten which
6 the Judge said was a laudable goal. We were trying
7 to hasten the growth of that Hispanic community and
8 hasten it so that at some point in the near future,
9 which they will be, will become a protected
10 district.

11 But the Judge said since they do not have that
12 and that wasn't in dispute, it was not in dispute
13 by either party that this was not a district
14 protected by Section V or Section II, so because we
15 were trying to do that but we had this appendage
16 and because the Supreme Court's ruling that when
17 you have something that doesn't look right, you
18 have to look for justification.

19 And he said that the justification we gave
20 that was trying to hasten the Hispanic, to a
21 Hispanic district wasn't justified because it had
22 no Tier 1 protections. So because it had no Tier 1
23 protections the fact that you had this appendage
24 that wasn't compact, he ruled it unconstitutional.

25 SPEAKER WEATHERFORD: Follow up.

♀

1 REPRESENTATIVE THURSTON: Thank you,
2 Mr. Speaker. Outside of the ruling with regards to
3 the appendage, do you agree that the Judge made
4 reference to the inappropriateness of the dialogue
5 with the Republican operatives?

6 SPEAKER WEATHERFORD: Representative Corcoran.

7 CHAIRMAN CORCORAN: You know, I think that is
8 if you read the Judge's opinion there was at a very
9 minimum where Leader discussed, you can even say, I
10 don't want to impute beliefs to Judge Lewis, but
11 clearly, you know, intents discussed with the
12 operatives and what they were doing, but, but that,
13 none of that has affected this process or how we
14 have drawn the map or how we have addressed his
15 legal rulings on what we are supposed to do.

16 SPEAKER WEATHERFORD: Representative Thurston.

17 REPRESENTATIVE THURSTON: Thank you,
18 Mr. Speaker. I take that as a yes, and do you
19 agree that after that he discussed the issue of the
20 e-mails where it was discussed that we would start
21 out with bad maps and progressively get the maps to
22 a certain point, and that would be a strategy that
23 we approached. Do you agree that that was
24 discussed in the opinion, Representative?

25 SPEAKER WEATHERFORD: Representative Corcoran.

♀

1 CHAIRMAN CORCORAN: Absent the e-mails the
2 operatives' behavior, all of that was discussed,
3 especially the operatives at length in his opinion.

4 SPEAKER WEATHERFORD: For a follow up.

5 REPRESENTATIVE THURSTON: Thank you,
6 Mr. Speaker. Representative, do you agree that one
7 of the issues with regards to that was that
8 initially there were maps that would have allowed
9 for four seats, and ultimately after and at the
10 direction of these operatives, it wound up being
11 one seat that provided minority access?

12 SPEAKER WEATHERFORD: Representative Corcoran.

13 CHAIRMAN CORCORAN: Thank you. I think I gave
14 you the explanation for what the Judge said in
15 regards to District 10 and why he had that you will
16 ruling on District 10. But to the House maps
17 specifically throughout his opinion, the House
18 version of the map, throughout the opinion was
19 spoken of in a favorable light.

20 SPEAKER WEATHERFORD: Further.

21 REPRESENTATIVE THURSTON: Representative,
22 thank you, Mr. Speaker. Representative, you made
23 several reference to being spoken of favorably,
24 notwithstanding that that wasn't my question, but
25 let me ask you this. When the Judge says that it

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

55

1 would become potent engines by which cunning,
2 ambitious and un-principle men will be enabled to

3 subvert the power of people and to usurp for them
4 the reigns of government. Who is he speaking of
5 then in those terms?

6 SPEAKER WEATHERFORD: Representative Corcoran.

7 CHAIRMAN CORCORAN: I believe those were
8 George Washington, he was quoting Judge Washington,
9 that wasn't Judge Lewis, but he was speaking of a
10 political operative. He was -- of political
11 operatives.

12 SPEAKER WEATHERFORD: Representative Thurston.

13 REPRESENTATIVE THURSTON: Thank you. Thank
14 you, Mr. Speaker. Political operatives alone?

15 SPEAKER WEATHERFORD: Representative Corcoran.

16 CHAIRMAN CORCORAN: I can read the whole
17 George Washington quote if you want, Lead Thurston.
18 However combinations or associations of the above
19 description now and then, answer popular and fair
20 likely in the course of time and things to become
21 potent engines by which cunning, ambitious,
22 un-principle men will be enabled to subvert the
23 power of the people and usurp for themselves the
24 reigns of government, destroying out towards the
25 very engines which have lifted them up.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

56

1 SPEAKER WEATHERFORD: Representative Thurston.

2 REPRESENTATIVE THURSTON: So Representative,
3 he could have been talking about staff, legislators
4 and operatives as well, couldn't he?

5 SPEAKER WEATHERFORD: Representative Corcoran.

6 CHAIRMAN CORCORAN: I don't -- I mean, I would
7 love to have George Washington testify in one of my
8 committees one day, but --

9 SPEAKER WEATHERFORD: Not Jefferson?

10 CHAIRMAN CORCORAN: But I don't -- I am not
11 going to say that that is -- I can't say from his
12 the quote. I think he was talk about those people
13 that surround the process, not the people in the
14 process.

15 SPEAKER WEATHERFORD: Leader Thurston.

16 REPRESENTATIVE THURSTON: Thank you,
17 Mr. Speaker. Representative, as a leader of the
18 Democrats and I know you are coming in as a leader
19 of the Republicans, we work with political
20 operatives all of the time. Is it your testimony
21 or your opinion that political operatives act on
22 their own and they don't do what you direct them to
23 do, or are they just political operatives gone
24 wild?

25 SPEAKER WEATHERFORD: Wouldn't that be a fun

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

57

1 reality TV series. Representative Corcoran.

2 CHAIRMAN CORCORAN: I think the Judge in his
3 opinion recognized as, at the point that he praised
4 house staff and the leaders that were over those
5 staff, that they were acting on their own. And I
6 am not, you know, Leader Thurston, I don't know how
7 many questions you have, but I am not an expert on
8 political operatives and how they work and I wish I

9 would have prepared for that, I wish I would have
10 prepared for that portion of the questioning, but I
11 don't have that expertise.

12 SPEAKER WEATHERFORD: For a follow up.

13 REPRESENTATIVE THURSTON: Thank you,
14 Mr. Speaker. Representative, I am going to take
15 that for what it is worth, but let me ask you this.
16 Out of all of those discussions and I know that you
17 praised the operatives and I mean, the staffers,
18 was there some discussion about staffers providing
19 maps to their friends and before the public or
20 other legislators happen to see them, was that --
21 did the Judge address that?

22 SPEAKER WEATHERFORD: Representative Corcoran.

23 CHAIRMAN CORCORAN: There was a description of
24 a staffer who was in the Speaker's office that did
25 that. Nobody in the redistricting staff.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

58

1 SPEAKER WEATHERFORD: Representative Thurston.

2 REPRESENTATIVE THURSTON: Thank you,
3 Mr. Speaker. Representative, let me ask you this.
4 Has anyone been disciplined in any way with regards
5 to the -- what the Judge deemed to be
6 unconstitutional activities that led us back here
7 today, any one at all been disciplined in any
8 fashion, and has anyone been referred to Rules
9 Committee to investigate any of these activities
10 that bring us back here today?

11 SPEAKER WEATHERFORD: Representative Corcoran.

12 CHAIRMAN CORCORAN: Leader Thurston, I would
13 say this. I was raised by an English mother who
14 was born, lived through the Great Depression and
15 served in World War II for the Women's Air Force in
16 England and lived through the blitz. I was raised
17 by a father who was orphaned at two, grew up in an
18 orphanage, lived through the Great Depression and
19 served our country in World War II in North Africa,
20 and those two people which stressed to me over and
21 over and over and my brothers and sisters, that
22 your name is all you have, and your name is to be
23 valued more than anything else, riches, credit,
24 whatever.

25 So to the extent that I would ever be written

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

59

1 about in an opinion the way these consultants or
2 operatives were written about, I think is the
3 height of disgrace and discipline for me
4 personally. I would rather have that than a
5 spanking, I would rather have a spanking than that.
6 Having said that, beyond that I have no idea and it
7 is not an issue before us today on this floor.

8 SPEAKER WEATHERFORD: For a follow up.

9 REPRESENTATIVE THURSTON: Thank you,
10 Mr. Speaker, and thank you, Representative for that
11 history of your lineage.

12 Let me ask you this. Does the, you know, I am
13 told that we discipline members for over-inflating
14 their newsletters, and if you are telling me that

15 this does not amount to that, do we have the power
16 to discipline the referred past members to the
17 Rules Committee?

18 SPEAKER WEATHERFORD: Representative Corcoran.

19 CHAIRMAN CORCORAN: Again, we could break out
20 and have a rules presentation on our existing
21 rules. It is not the issues before us and I am not
22 going to get into what our rules say and how and
23 what could or could not be done about these
24 particular operatives.

25 SPEAKER WEATHERFORD: For a follow up.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

†

60

1 REPRESENTATIVE THURSTON: Thank you,
2 Mr. Speaker. No further questions.

3 SPEAKER WEATHERFORD: Representative Waldman.

4 REPRESENTATIVE WALDMAN: Thank you,
5 Mr. Speaker. While I have the utmost respect for
6 Senator Galvano and for you, I would like to
7 understand a little bit more about how exactly the
8 map came together, because ultimately you got to a
9 consensus.

10 So what I would like to know is, who had the
11 first offer, who had the counter offer. How did
12 you get to where you both agreed on this map that
13 is before us?

14 SPEAKER WEATHERFORD: Representative Corcoran.

15 CHAIRMAN CORCORAN: I outlined that in my
16 initial answer, Representative Waldman, that
17 basically we sat in a room and we had the Judge's

18 Order before us and it was very specific. And so
19 we know he didn't like either of the appendage or
20 the finger that went into Seminole County. And so
21 once you did that and said, okay, we have got to
22 take those out.

23 He had issues with the compactness of 5 and 10
24 and how you make them more compact and then what
25 districts were affected, that were necessarily

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

61

1 affected as a result of doing those two things and
2 it was literally just that process.

3 SPEAKER WEATHERFORD: For a follow up.

4 REPRESENTATIVE WALDMAN: Thank you,
5 Mr. Speaker. And I understand you said that in
6 your opening, but then when you were asked again
7 and you were asked how you got here, you said you
8 got here at 2:00 in the morning or 2:30 in the
9 morning and you met with staff, the House, and he
10 met with staff of the Senate. Because I would like
11 to find out what took place with your meeting with
12 staff in the House, and to your knowledge what took
13 place with his meeting with staff in the Senate so
14 that you both came together at the same time and
15 had the same decision of what to do to correct
16 this.

17 SPEAKER WEATHERFORD: Representative Corcoran.

18 CHAIRMAN CORCORAN: When I said that I got
19 together with staff, just understand, that was the
20 Speaker had asked me it be the Redistricting

21 Chairman. I came up and I got together with staff
22 and I asked them to put together for me copies of
23 CD's from the congressional maps that were done
24 before, both case opinions, apportionment one and
25 two from the Supreme Court.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

†

62

1 They put together a binder that I took and
2 started reading. That was the extent of my
3 involvement with staff. The meetings that took
4 place between the House and Senate and House staff
5 and Senate staff and House counsel and Senate
6 counsel, was when we got together and we started
7 looking at that.

8 But before I even had that meeting with
9 Senator Galvano or those folks I wanted to be up to
10 speed.

11 SPEAKER WEATHERFORD: For a follow up.

12 REPRESENTATIVE WALDMAN: Thank you,
13 Mr. Speaker. I didn't understand that that is what
14 it was and it was just a preparatory meeting, and
15 that is fine. So that was what raised the question
16 that I had.

17 So what I would like to know from you, because
18 you have said it a number of times, that the Judge
19 kept praising what was 9047. Where in the Order is
20 that praising, because I haven't seen it? I have
21 read it, I have read through it, and what I did
22 find was on page 18 I found where the Judge
23 basically just said, while not a model Tier 2

24 compliant districts, these iterations did avoid the
25 narrow appendage jutting from the body of the

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

63

1 district into Seminole County.

2 He didn't say that it was -- it was perfect.
3 He just said it wasn't model and he didn't say it
4 was great, is that correct?

5 SPEAKER WEATHERFORD: Representative Corcoran.

6 CHAIRMAN CORCORAN: Quickly, Representative
7 Waldman, one is what I was speaking about was 9043,
8 I think what you meant, not 9047. The second thing
9 is the phrase that I believe I said, I would have
10 to go back and listen to it, Representative
11 Waldman, was he praised in a light more favorable.
12 And I think what you just read was him saying
13 something in a light more favorable than 47.

14 SPEAKER WEATHERFORD: For a follow up.

15 REPRESENTATIVE WALDMAN: Thank you,
16 Mr. Speaker. Now, you are correct, I was referring
17 to 9043, the iterations prior to 9047. But that is
18 the only reference I can find that he said that
19 those iterations were better than 9047. There is
20 nothing in here in this Order which said 9043 was
21 great, because if it was, why wouldn't we just go
22 to 9043 right now and be done with it?

23 SPEAKER WEATHERFORD: Representative Corcoran.

24 CHAIRMAN CORCORAN: I don't have it tabbed,
25 Representative Waldman, but I will be glad to have

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491
Page 57

1 staff go through it. He said those words about
 2 9043 in a more favorable light in multiple parts of
 3 the opinion, and I can find those for you and ask
 4 staff to find those for you real fast. I just
 5 don't have it tabbed.

6 SPEAKER WEATHERFORD: For a follow up.

7 REPRESENTATIVE WALDMAN: Thank you,
 8 Mr. Speaker. Yes, I would like, I would look
 9 forward to getting that. I appreciate that. You
 10 were also asked about the Thurston amendment, the
 11 Soto map, and you said it failed in all respects
 12 based upon the metrics in the Order.

13 Specifically in terms of the BVAP, the black
 14 voting age population, why did it fail?

15 SPEAKER WEATHERFORD: Representative Corcoran.

16 CHAIRMAN CORCORAN: My comment there was that
 17 if you compare the amendment that was offered
 18 versus the amendment, I mean, the Bill, the PCB
 19 before them, if you compared it on those things
 20 that we are discussing today, they had -- the
 21 amendment had a BVAP of 43.70, where ours has one
 22 of a 48.11. And then if you look at the
 23 comparisons of city splits, they split one more
 24 city, we are same in counties.

25 And then in -- and then in terms of the

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

1 metrics, whether it be visual compactness or
 Page 58

2 whether it be the two measurements used by the
3 Court, Reock and convex hull, ours performed
4 better.

5 SPEAKER WEATHERFORD: Recognized for a follow
6 up, Representative Waldman.

7 REPRESENTATIVE WALDMAN: Thank you,
8 Mr. Speaker. So what you are saying is you are
9 talking it failed in the metrics in comparison to
10 yours, but it didn't fail in the metrics regarding
11 anything, in effect, the BVAP is better than what
12 Dr. Brunell, who was the expert who was retained by
13 the House, suggested that there would be a 50/50
14 ability to elect a minority candidate of choice
15 with a BVAP as well as 43.6.

16 So in fact the Thurston amendment actually had
17 a higher BVAP which would have been compliant with
18 the Court's Order, is that correct?

19 SPEAKER WEATHERFORD: Representative Corcoran.

20 CHAIRMAN CORCORAN: This was another question
21 that Representative Rodriguez, I thought you were
22 on the committee at the time, Representative
23 Waldman, but Representative Rodriguez asked
24 specifically about that, and again counsel gave the
25 explanation.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

66

1 That was in the Summary Judgment phase about a
2 particular map. Tom Brunell was asked to evaluate
3 that map and he said the first order of business
4 was for him to figure out what would make that

5 district a 50/50 or a coin toss map. He did that
6 analysis and he came that that district would be a
7 50/50 or a coin toss at 43.6.

8 The map that was before him in the Summary
9 Judgment phase, I don't know the exact number, but
10 it was in the 30s. So he said he didn't have to do
11 any analysis beyond that because it has already
12 failed. The map before them is well below the
13 43.6, but nowhere did he say that that -- he said
14 43.6 is a 50/50 coin toss map.

15 And if you look at it whether it be the
16 Supreme Court or the Congressional reauthorization
17 of the Voter Rights Act, you can't take a district
18 where the benchmark is 49.9, which is the benchmark
19 in this district, and take it down to a coin toss.
20 That is fundamentally contrary to the Section V and
21 the diminishment standard in the Constitution that
22 says you cannot diminish or retrogress that
23 district, and that is the context in which he said
24 43.6.

25 SPEAKER WEATHERFORD: For a follow up.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

67

1 REPRESENTATIVE WALDMAN: Thank you,
2 Mr. Speaker. And I would like it if you could also
3 supply me with that legal opinion right there which
4 you just stated and cite me to where that is stated
5 that that says that in there, because I don't
6 believe that is correct.

7 So let's just move on to what was really the
Page 60

8 reason why the Court had determined that the map
9 was unconstitutional and those districts in
10 particular were invalid.

11 What analysis have you done on CD 7 regarding
12 the Sink, Obama, Davis performance? There is not
13 -- there is nothing in the staff analysis which
14 refers to that and the Court specifically talked
15 about that as part of the problem with District 5.

16 SPEAKER WEATHERFORD: Representative Corcoran.

17 CHAIRMAN CORCORAN: He talked about it in 5
18 because you have to do a functional analysis under
19 the Tier 1 standard and the Voter Rights Act. We
20 didn't look at it and the Court didn't address it
21 because it wasn't an issue in district, whatever
22 district you just mentioned.

23 SPEAKER WEATHERFORD: Representative Waldman.

24 REPRESENTATIVE WALDMAN: Thank you,
25 Mr. Speaker. But with all due respect, that is

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

68

1 exactly what he did in fact. That is the basis why
2 he found 5 was invalid, was because of what the
3 effect was on 7. So I would find it very strange
4 that there is no staff analysis which now talks
5 about Congressional District 7 and the effect on
6 Republican voting.

7 So why didn't you do it, and I will cite you
8 to the page, I mean, it is right at his decision
9 and that is page 32 and he says, based on the above
10 and the above paragraph specifically deals with

Page 61

11 Congressional District 7 and what the voting was
12 and what the effect of basically bleaching which is
13 what you did. So why didn't you give us that
14 analysis today?

15 SPEAKER WEATHERFORD: Representative Corcoran.

16 CHAIRMAN CORCORAN: I stated that earlier,
17 Representative Waldman. The districts that he had
18 issue with and the reason we are here on 5 and 10.
19 Ten has that appendage of jutting next to 7, and he
20 was making an analysis that not only did it -- when
21 you have something that looks like that, that you
22 can't justify, and he went through the House's
23 justification for what we were doing in District 9
24 and trying to bolster and hasten the Hispanic
25 growth in that population, he looked at that

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

69

1 appendage, and in looking at that appendage he was
2 saying, and looking at the results in the voter
3 turn out, it got more favorable for District 10 and
4 which went to his point that it was also violated
5 intent.

6 SPEAKER WEATHERFORD: For a follow up.

7 REPRESENTATIVE WALDMAN: Thank you,
8 Mr. Speaker. Perhaps you can just look at page 32,
9 because that is not -- that doesn't effect, that is
10 not what I am talking about and that is not what
11 the Judge decided. That is, he wasn't even talking
12 about 10 in that one. He was just talking about 5
13 and 7.

17 Mr. Speaker. And I truly don't mean to belabor the
18 point, okay, but what he found specifically, and
19 you have got, you have got House counsel right
20 there and that House counsel ought to be able to
21 give you the answer to this.

22 He found specifically that what your problem
23 was, was that what you did in 5 positively affected
24 7 for Republican votes. That was his finding, and
25 I am happy to talk with Mr. Meros directly about

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

71

1 it, but that was his finding.

2 And then he gave an analysis, and the analysis
3 was based upon the reduction in numbers. In the
4 Sink race, the Obama race and the Davis race. So
5 why didn't you address that now at this time,
6 because frankly you know that if we pass this map
7 and I have no doubt that this map that is before us
8 is the map that is going to be passed, I have no
9 doubt that the Judge is going to look at this and
10 he is going to want that analysis to see, did you
11 really change 7. So why don't we have that
12 analysis?

13 SPEAKER WEATHERFORD: Representative Corcoran.

14 CHAIRMAN CORCORAN: Representative Waldman, I
15 think we are two ships past the night. And here is
16 what, just give me a second and follow me on this.
17 So was invalidated is Congressional District 5. So
18 now the Judge is doing his analysis of why
19 Congressional District 5 is invalidated, and I read

Page 64

20 you why he invalidated it.

21 He invalidated it because of compactness and
22 then he did it at Tier 1 intent. And so he is
23 giving his reasons why it failed under compactness
24 and under Tier 1 intent. So he is looking at that
25 appendage that he thinks is clearly a violation of

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

72

1 compactness, and he says, and he quotes the Supreme
2 Court opinion that when you have an appendage like
3 that and you can't find justification for it, then
4 it is probably a -- and it could lead you towards
5 intent.

6 And then he does and beyond that, beyond just
7 the Supreme Court's ruling, then he does an
8 analysis of when you did that, when that appendage
9 was added what did it do to the surrounding
10 counties and their performance, and he looked at
11 the performance data in those surrounding counties
12 and found that there was a benefit to the
13 surrounding counties on performance, and so he says
14 I am throwing it out on intent.

15 SPEAKER WEATHERFORD: For a follow up.

16 REPRESENTATIVE WALDMAN: Thank you,
17 Mr. Speaker. You are right, we are actually two
18 ships passing in the night, not even close, because
19 what you just gave to me was his decision based on
20 Congressional District 10. And I point you to page
21 32 and Mr. Meros is right there read it right now,
22 okay.

23 When you talk about the appendage, that is in
24 Congressional District 10 is what he talks about,
25 and when you talk about what they explained about

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

73

1 the appendages render a district not compact, that
2 is in District 10. The District 5 decision is a
3 different decision.

4 So I just want, I just want that answer, why
5 don't we have the analysis here in front of us that
6 the Judge went through?

7 SPEAKER WEATHERFORD: Representative Corcoran.

8 CHAIRMAN CORCORAN: You are correct, what I am
9 talking, we are both -- what we are missing was my
10 mistake. When I am talking about the appendage, I
11 am talking about the appendage that went into
12 Seminole County for District 5, the finger-like
13 appendage that went into Seminole County for
14 District 5.

15 SPEAKER WEATHERFORD: For a follow up.

16 REPRESENTATIVE WALDMAN: Thank you,
17 Mr. Speaker. I didn't want to keep going on if
18 there were others who want to speak. I know that,
19 I see Representative Slosberg over here does, but I
20 just have a couple, I did that on purpose, I am
21 sorry.

22 I just have a couple other -- a couple other
23 things. So one of the things that the Judge
24 pointed out and Representative Thurston was talking
25 about it, was the political operatives' decision

♀

1 and that was what, let's see, that was on page 24
2 where he refers to Mr. Rikle Duffer, is that how
3 you pronounce his name, Rikle Duffer, I guess, but
4 he talks about the plan and he said, he said,
5 should they start less compliant and involved
6 through the process, and you are familiar with that
7 portion of the -- of the Order, aren't you?

8 SPEAKER WEATHERFORD: Representative Corcoran.

9 CHAIRMAN CORCORAN: Yes.

10 SPEAKER WEATHERFORD: For a follow up.

11 REPRESENTATIVE WALDMAN: And then he goes on
12 to say should the first, asking the question as the
13 political operatives do and asking it in terms of
14 the legislators and whoever he is talking to,
15 should the first map be as near as compliant as
16 possible and change very little. And you familiar
17 with that are portion of what the testimony was?

18 SPEAKER WEATHERFORD: Representative Corcoran.

19 CHAIRMAN CORCORAN: What page are you on,
20 Representative Waldman? Yes, on page 23.

21 SPEAKER WEATHERFORD: While he is finding the
22 page, why don't you restate your question there,
23 Representative Waldman?

24 REPRESENTATIVE WALDMAN: Thank you,
25 Mr. Speaker. I just wanted to make sure that he

♀

1 was familiar with that passage and what took place
2 and where it said, should the first, first map be
3 as near as compliant as possible and change very
4 little. And he was referring to the fact that we
5 go through the process, isn't that correct, what
6 was that testimony?

7 SPEAKER WEATHERFORD: Representative Corcoran.

8 CHAIRMAN CORCORAN: I mean, I am reading the
9 notes about Rikel Duffer's notes following the
10 meeting.

11 SPEAKER WEATHERFORD: For a follow up.

12 REPRESENTATIVE WALDMAN: Thank you,
13 Mr. Speaker. But you would -- you would
14 acknowledge that what he was talking about was that
15 the best way to go forward with this is probably
16 similar to just about any negotiation. Start it at
17 one end and hope to the get to the area, whether it
18 be that you start out high and you try to get to a
19 lower price, or start out low and you try to get to
20 a higher price.

21 You would agree that that was part of the
22 process and part of what they were looking to do,
23 was that correct?

24 SPEAKER WEATHERFORD: You are recognized.

25 CHAIRMAN CORCORAN: I think that what he is

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

76

1 going through. I mean, I wasn't on the phone call,
2 Representative Waldman, but he is going through an

3 analysis of that and that is one of his
4 suggestions.

5 SPEAKER WEATHERFORD: For a follow up.

6 REPRESENTATIVE WALDMAN: Thank you,
7 Mr. Speaker. You would agree that when you made
8 the change in this -- in this map you guys started,
9 you started with what the existing map was and you
10 worked down from that. You testified to that, is
11 that correct?

12 SPEAKER WEATHERFORD: Representative Corcoran.

13 CHAIRMAN CORCORAN: Again, in 2012, I wasn't a
14 part of the Redistricting Committee, but reading
15 the opinion, that is what he said.

16 SPEAKER WEATHERFORD: For a follow up.

17 REPRESENTATIVE WALDMAN: Thank you,
18 Mr. Speaker. What I am trying to say, is when you
19 and Senator Galvano decided to go through this, you
20 started with what was that bad map which was not
21 compliant, which was what was referred to by Judge
22 Lewis, is that correct?

23 SPEAKER WEATHERFORD: Representative Corcoran.

24 CHAIRMAN CORCORAN: That is correct.

25 SPEAKER WEATHERFORD: For a follow up.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

77

1 REPRESENTATIVE WALDMAN: So essentially what
2 you did and Senator Galvano did was exactly what
3 this operative suggested be done, let's start with
4 the less compliant map and let's move towards
5 compliance, and that is the process that you got to

6 in this redrawing. Isn't that really what took
7 place?

8 SPEAKER WEATHERFORD: Representative Corcoran.

9 CHAIRMAN CORCORAN: No, I think what -- what
10 Rikle Duffer is saying is that the entire, from
11 beginning to end when you have, you know, let's
12 start and, with a -- and allow the amendatory
13 process to get us to a better, a better space.

14 So the first proposal, what -- what Senator
15 Galvano and I did was looked at the map that we
16 passed that went to the Judge and was thrown out,
17 and we never went through a process where we said,
18 okay, now, let's put forth before the committee or
19 whatever, a map that isn't compliant and then allow
20 it to get better and better and better.

21 The map before we put before, Senator Galvano
22 and I, I am like what -- it appears what Rikle
23 Duffer is talking about was the map that we are
24 voting on today. It is never -- we have made no
25 changes to it.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

78

1 SPEAKER WEATHERFORD: For a follow up.

2 REPRESENTATIVE WALDMAN: Thank you,
3 Mr. Speaker. I want to make it very clear, I don't
4 question your integrity or Senator Galvano's
5 integrity one bit. What I am just trying to get at
6 is if I understand correctly, the reason we are
7 here in the special session is this is still part
8 of the process.

9 I mean, we -- we went through it, it goes to
10 the Court, we passed it, it goes to the Court, they
11 send it back to the Senate, then we got another
12 lawsuit, he sent it back to here, but the special
13 session was all part of the process, the same as
14 what this Rikle Duffer is suggesting be done.

15 So he actually had the idea that, listen,
16 let's go this way, it will get thrown out by the
17 Court. We will come back, they will come back, but
18 they will still be dealing with that lousy map and
19 all they have to do is tweak it and we can still
20 get to where we want to get to.

21 So isn't that really what happened, because
22 you didn't going and reanalyze and you said it to
23 me, you didn't really go reanalyze Senate District,
24 Congressional District 5 or 7 or 9 for that matter,
25 isn't that really where we are at?

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

79

1 SPEAKER WEATHERFORD: Representative Corcoran.

2 CHAIRMAN CORCORAN: No, Representative
3 Waldman, I don't agree with the assessment at all.
4 We are here because of the Judge had a ruling that
5 invalidated a map. But the process that Senator
6 Galvano and I went through, unlike the process that
7 it appears Rikle Duffer is talking about what they
8 should go through in 2012, what we -- the process
9 we went through was we didn't -- there was no
10 gamesmanship or, you know, whatever, you know,
11 thing, you know, let's hide the ball.

12 We said here is the map and there was no
13 changes, it was never -- the map that Senator
14 Galvano and I put forth, there was no changes to.
15 You are trying to say that we made changes to the
16 invalidated map and somehow it is the same. It is
17 completely different. That analogy fails on
18 multiple levels.

19 SPEAKER WEATHERFORD: Representative Waldman
20 for a follow up.

21 REPRESENTATIVE WALDMAN: Thank you,
22 Mr. Speaker. So -- so it is your position then,
23 because even though you started with an invalid map
24 that really went through the process the way Rikle
25 Duffer was suggesting that it be done, because you

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

80

1 and Senator Galvano do not have or did not have any
2 intent to favor or disfavor a political party or to
3 do anything along those Tier 1 and Tier 2
4 requirements, but as long as your intent was okay,
5 that the map is fine.

6 Is that what your belief is even though you
7 started with an invalid map and all you did was
8 tweak it a little bit?

9 SPEAKER WEATHERFORD: Representative Corcoran.

10 CHAIRMAN CORCORAN: Again, we are -- I am not
11 going to agree to that, Representative Waldman. We
12 started with a map that had 25 of 27 districts
13 constitutionally validated. What we did was look
14 at per the Judge's Order the two districts that

15 were invalidated and put it up and then Bill,
16 Senator Galvano and I went through the process of
17 drawing the map as it appears. Rikle Duffer is
18 talking about the process of drawing a map, and he
19 is saying that it appears, I am not him, that let's
20 draw a bad map and then allow it to get better
21 through the process.

22 Senator Galvano and I sought to draw the best
23 possible map that complies with the Order. We did
24 that and it has not changed through the process.

25 SPEAKER WEATHERFORD: For a follow up.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

†

81

1 REPRESENTATIVE WALDMAN: Thank you,
2 Mr. Speaker. I am just, and I am focusing on the
3 Judge's opinion, because frankly I don't want to be
4 back here again, and I think that there is always a
5 possibility we could be back here again and I am
6 not looking forward to doing that.

7 So that is why I am focusing on the Judge's
8 opinion exactly. And the Judge talked a great deal
9 about legislative intent, and who's intent is
10 important in terms of whether a map is invalid or
11 not. So I just want to be certain that I
12 understand you correctly, that your testimony is
13 that it was not your intent nor Senator Galvano's
14 intent in spite of the fact that you worked with an
15 invalid map, an unconstitutional map, because it is
16 the entire map which was unconstitutional, it is
17 only the two districts that they found were non

18 compliant, but the whole map was thrown out, that
19 your, your belief is that you complied with the
20 Judge's Order because the only intent in spite of
21 what may take place, is your intent as a drafter
22 and Senator Galvano's intent as a drafter, is that
23 correct?

24 SPEAKER WEATHERFORD: You are recognized.

25 CHAIRMAN CORCORAN: Yes, I mean, I have to go

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

†

82

1 look at it again, it was in there, he went through
2 a whole analysis of legislative intent, but I
3 believe is the entire body and the individual
4 members of the entire body.

5 SPEAKER WEATHERFORD: Representative Williams.
6 You are recognized for a question.

7 REPRESENTATIVE WILLIAMS: Thank you,
8 Mr. Speaker, and thank you, Chair Corcoran, for
9 your indulgence this afternoon. So I have is
10 looking at the map and looking at the, I guess in
11 totality the seven districts that were impacted by
12 the map that you put forth in your -- in your Bill.
13 We have talked a little bit about a few of them.

14 Can you share with the body what the impact
15 would be to the entire seven districts and what --
16 what the impact will look like really to the
17 voters, especially and then I have a follow up,
18 Mr. Speaker?

19 SPEAKER WEATHERFORD: Representative Corcoran.

20 CHAIRMAN CORCORAN: If you would look at, I

21 will just give you the highlights, Representative
22 Williams, and if you have more specific questions I
23 would be glad to answer them.

24 But 5, the changes we completely eliminated
25 the incursion that went into Seminole County. The

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

†

1 eastern boundary now follows the St. Johns River
2 all the way from Duval County to Seminole County.
3 We have discussed the BVAP and I just told you how
4 it is visually and mathematically more compact.

5 Six, which is to the east of it. Again, the
6 visual compactness was greatly improved compared to
7 the enacted map. It now looks much more
8 rectangular if you look at it. Its western
9 boundary is shared with 5, so it is the entire St.
10 Johns River, from Duval to Volusia County, and
11 Palatka remains whole up in that northern part that
12 changed.

13 In District 7, which is Seminole County, it is
14 now an entire kept whole. The visual compactness
15 greatly improved, and the western boundary is
16 shared with Congressional District 5 which is the
17 St. Johns River.

18 District 9 which is south of that and the
19 visual mathematical compactness up as I said it
20 before, and the county which is Osceola County is
21 now split, but all the municipalities that were
22 within it were kept whole.

23 District 10 the appendage again is removed as

24 required by the Judge, or as discussed by the
25 Judge. Divisional mathematical compactness is

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

84

1 improved.

2 District 11 was minor changes. We just went
3 in a little bit to Marion County where there is
4 very little population. I think one of the things
5 that was in there was some sort of abandoned
6 bombing range or something, but it is little
7 population on the northeast side.

8 And then in District 17 we made minor changes
9 in the -- just to equalize population on the
10 northern part, and that is where we split Osceola
11 County and put it in District 17.

12 SPEAKER WEATHERFORD: For a follow up.

13 REPRESENTATIVE WILLIAMS: Thank you,
14 Mr. Speaker, and thank you for that explanation.
15 You spoke earlier about not having seen, I guess
16 the political performance of the maps.

17 Do you believe that we probably should as a
18 body probably have that conversation and discussion
19 since that is part of the reason why we are here
20 today, just so we won't obviously have to be back
21 here anytime soon, because obviously the will of
22 the voters is such that they want to make sure that
23 there is no incumbent protection, political
24 favoritism, whatever you want to call it.

25 Can we have that conversation and should that

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491
Page 76

1 be something that we have for the entire body?

2 SPEAKER WEATHERFORD: Representative Corcoran.

3 CHAIRMAN CORCORAN: We made the decision
4 looking at Tier 1, looking at the Judge's opinion
5 that the only data we looked at was that was
6 required under Congressional District 5 and no
7 other district, and we think that is the best
8 course of action for the legislative body.

9 SPEAKER WEATHERFORD: Further questions,
10 further questions? Representative Pafford for a
11 question.

12 REPRESENTATIVE PAFFORD: Thank you,
13 Mr. Speaker. Representative Corcoran, thank you so
14 much for weathering these questions. I have a
15 question. So the call that was made for the
16 session was I believe August 4th.

17 When did you actually begin working with
18 Senator Galvano on the initial map?

19 SPEAKER WEATHERFORD: Representative Corcoran.

20 CHAIRMAN CORCORAN: The first time I met with
21 him just to confirm with staff, Representative
22 Pafford, was probably Tuesday evening maybe, when
23 Senator Galvano was in town and I can't remember
24 the time.

25 SPEAKER WEATHERFORD: For a follow up.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

1 REPRESENTATIVE PAFFORD: Thank you,
Page 77

2 Mr. Speaker. So Tuesday evening was August 5th.
3 So you believe you were here meeting with Senator
4 Galvano August 5th?

5 SPEAKER WEATHERFORD: Representative Corcoran.

6 CHAIRMAN CORCORAN: I am sorry, representative
7 Pafford, can you repeat it one more time?

8 SPEAKER WEATHERFORD: Please repeat the
9 question.

10 REPRESENTATIVE PAFFORD: Certainly, thank you,
11 Mr. Speaker. You say you had begun to work on this
12 map Tuesday evening, which I believe would be
13 August 5th, is that correct?

14 SPEAKER WEATHERFORD: You are recognized.

15 CHAIRMAN CORCORAN: That is correct.

16 SPEAKER WEATHERFORD: For a follow up.

17 REPRESENTATIVE PAFFORD: Thank you, Mr.
18 speaker. So representative Corcoran, the initial
19 language in the Senate was filed on August 5th,
20 2014, at 12:17 p.m. Did you have any idea that was
21 actually being filed?

22 SPEAKER WEATHERFORD: You are recognized.

23 CHAIRMAN CORCORAN: The Senate has different
24 rules than us, and so that is their shell Bill.

25 There was nothing in it.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

87

1 SPEAKER WEATHERFORD: Representative Pafford.

2 REPRESENTATIVE PAFFORD: Thank you,
3 Mr. Speaker. So were you aware that a shell Bill
4 was being filed?

5 SPEAKER WEATHERFORD: Representative Corcoran.

6 CHAIRMAN CORCORAN: Remember, I said I got in
7 late and I met with House staff. They gave me the
8 booklet with all of the briefing that is in there,
9 and then the conversations with staff about where
10 we were. They informed me the Senate had filed a
11 shell Bill with the -- that had nothing new in it,
12 except the enacted map.

13 SPEAKER WEATHERFORD: For a follow up.

14 REPRESENTATIVE PAFFORD: Thank you,
15 Mr. Speaker. So representative Corcoran, when in
16 fact did the current language that we are seeing
17 today, that was discussed the evening of
18 August 5th, is that correct?

19 SPEAKER WEATHERFORD: Representative Corcoran.

20 CHAIRMAN CORCORAN: Yes, what ultimately
21 became the map before you, those discussions
22 started the 5th and went through the 6th, and into
23 the 7th.

24 SPEAKER WEATHERFORD: Representative Pafford.

25 REPRESENTATIVE PAFFORD: Thank you,

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

88

1 Mr. Speaker. So at the beginning of this
2 questioning period it was mentioned that it is
3 fairly common when we have bipartisan Bills, like
4 any Bill, that it is quite common to invite members
5 of both parties into meetings. Did you feel that
6 was not necessary?

7 SPEAKER WEATHERFORD: You are recognized.

8 CHAIRMAN CORCORAN: Representative Pafford, I
9 think I have answered that for Leader Thurston, I
10 answered -- if you want me I will answer -- go
11 through the whole line of answers again, but I
12 think this might be the third or fourth time, but I
13 would be glad to do it.

14 SPEAKER WEATHERFORD: Representative Pafford.

15 REPRESENTATIVE PAFFORD: Thank you,
16 Mr. Speaker. So the language that, that ultimately
17 became part of the Committee Bill that was heard on
18 August 8th, was sent out during the special
19 concurrent meeting on August 7th.

20 Do you feel that was enough time for folks who
21 may have wanted to provide an amendment to that
22 Bill to have it?

23 SPEAKER WEATHERFORD: Representative Corcoran.

24 CHAIRMAN CORCORAN: I do, Representative
25 Pafford, because the fact was an amendment was

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

89

1 filed to it.

2 SPEAKER WEATHERFORD: For a follow up.

3 REPRESENTATIVE PAFFORD: Thank you,
4 Mr. Speaker. So the Bill that I observed not being
5 on the committee was pretty much shot down, and
6 staff basically was used in my view to take away
7 from a Bill that didn't have proper time for an
8 analyst to take a look at it. Did you feel that
9 was okay?

10 SPEAKER WEATHERFORD: Representative Corcoran.

Page 80

11 CHAIRMAN CORCORAN: I think that the staff has
12 done an exemplary job and you had -- that was the
13 amendment before us, Representative Pafford. We
14 also had a member file a Bill and he filed it much
15 sooner than the amendment that was filed, which was
16 a Bill in and of itself, and was filed previously
17 in the Senate.

18 We saw it in the House not until it was filed
19 as an amendment, but it did exist in the Senate.
20 And even on the Bill that was filed much earlier by
21 one of your members of your caucus, staff worked
22 with them extensively and they decided because of
23 the conversations in working with them, not to even
24 file that Bill. But I think staff has worked with
25 everybody expeditiously and everyone has had the

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

90

1 opportunity to have that debate.

2 SPEAKER WEATHERFORD: For a follow up.

3 REPRESENTATIVE PAFFORD: Thank you,
4 Mr. Speaker, thank you, Representative Corcoran.
5 Considering the fact that the amendment failed, and
6 staff who did perform an excellent job on the PCB,
7 a wonderful job, was there any consideration
8 considering that we are in special session and that
9 a Judge asked us to come back to provide a fair
10 opportunity over the weekend to call a committee
11 meeting and consider more language that perhaps
12 would have had better input from the full body?

13 SPEAKER WEATHERFORD: Representative Corcoran.

14 CHAIRMAN CORCORAN: I think our process has
15 fully allowed that and we are on second reading
16 right now where you can offer any amendment. You
17 can even offer late filed amendments on, amendments
18 with a Super Majority and none were filed. But we
19 had every member, all 120 of us had all weekend to
20 file amendments today on the floor.

21 SPEAKER WEATHERFORD: For a follow up.

22 REPRESENTATIVE PAFFORD: Thank you,
23 Mr. Speaker. It was noted during that committee
24 meeting that staff would be busy and they would
25 provide information that had been requested during

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

91

1 that committee meeting. So was there really time
2 to put forward an amendment or perhaps another Bill
3 that all of the members of this Chamber might be
4 able to vote for today?

5 SPEAKER WEATHERFORD: Representative Corcoran.

6 CHAIRMAN CORCORAN: Yes, I absolutely believe
7 that is the case.

8 SPEAKER WEATHERFORD: For a follow up.

9 REPRESENTATIVE PAFFORD: Thank you,
10 Mr. Speaker. So the memo, I will take you back to
11 August 5th, you were kind to put out a memo that
12 requested staff members, anybody who is putting
13 forward a Bill to share it with either the
14 committee body or this House or whoever, those
15 folks that we were working with potentially. What
16 was the purpose of that memo?

17 SPEAKER WEATHERFORD: Representative Corcoran.

18 CHAIRMAN CORCORAN: Because of the -- the
19 Court's opinion, I mean, basically I thought as the
20 Chairman of the Committee and with consultation
21 with the Speaker that the best course of action in
22 order to, you know, as Representative Edwards
23 represented earlier, to have people have the full
24 faith and confidence in what we were doing and the
25 product we were doing to put forth that memo that

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

92

1 had those requirements.

2 SPEAKER WEATHERFORD: Representative Pafford.

3 REPRESENTATIVE PAFFORD: Thank you,
4 Mr. Speaker. So what was the reaction when
5 Representative Rodriguez asked if we could swear in
6 people before your committee? If your goal was to
7 ensure integrity within this process, and that
8 everything was put out there, why was your
9 immediate goal, your immediate reaction prior to
10 the actual motion, no?

11 SPEAKER WEATHERFORD: Representative Corcoran.

12 CHAIRMAN CORCORAN: I did what any Chairman
13 would do and that is I put the motion before the
14 body and the body voted. It wasn't, obviously I
15 had one vote along with every other member on the
16 committee who had one vote and they voted it down
17 eight to five.

18 SPEAKER WEATHERFORD: For a follow up.

19 REPRESENTATIVE PAFFORD: Thank you,

20 Mr. Speaker. And again, thank you, Representative
21 Corcoran. Would swearing people in have resulted
22 in a different process as we stand here today?

23 SPEAKER WEATHERFORD: Representative Corcoran.

24 CHAIRMAN CORCORAN: Speaking for myself I do
25 not believe that to be the case at all.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

93

1 SPEAKER WEATHERFORD: Further questions?
2 Representative Richardson, thank you for your
3 patience, you are recognized.

4 SPEAKER WEATHERFORD: Questions,
5 Representative Richardson, thank you for your
6 patience, you are recognized.

7 REPRESENTATIVE RICHARDSON: Thank you, thank
8 you, Mr. Speaker. Now, I noted that your members
9 in the Majority haven't had a chance to ask all of
10 their questions, so I am happy to yield at your
11 pleasure, or I can continue.

12 SPEAKER WEATHERFORD: I think they have been
13 busy reading the Q and A that we handed out to
14 everyone. Representative Richardson, you are
15 recognized.

16 REPRESENTATIVE RICHARDSON: Thank you,
17 Mr. Speaker. Chair Corcoran, earlier
18 Representative Rouson asked you in a question if
19 any experts were consulted on this, and I know you
20 and Senator Galvano were involved, and you said no.

21 So, but do you know if any experts were
22 advising any of the staff?

23 SPEAKER WEATHERFORD: Representative Corcoran.

24 CHAIRMAN CORCORAN: I do. If that where the

25 case they would have told me as per my memo and

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

94

1 there was no outside advisement to staff.

2 SPEAKER WEATHERFORD: Follow up.

3 REPRESENTATIVE RICHARDSON: Thank you. And my
4 next question is on that memo dated August 5th. So
5 I note that part of the memo is written in first
6 person and part of the memo is in third person.

7 So where you say in some cases, I have
8 specifically, and in other cases specifically I am
9 focused on where you are saying committee staff
10 have been informed that they are to have no
11 interactions with any member of Congress,
12 Congressional staff or any political consultant.

13 So in that case who advised the staff? Was
14 that you or someone else?

15 SPEAKER WEATHERFORD: Representative Corcoran.

16 CHAIRMAN CORCORAN: They received the same.

17 That memo went out to everybody, they all received
18 the same memo.

19 SPEAKER WEATHERFORD: For a follow up.

20 REPRESENTATIVE RICHARDSON: Thank you,
21 Mr. Speaker. So this memo, in fact, was the
22 notification to staff, is that correct?

23 SPEAKER WEATHERFORD: You are recognized.

24 CHAIRMAN CORCORAN: That is correct.

25 SPEAKER WEATHERFORD: Representative

♀

1 Ri chardson.

2 REPRESENTATIVE RICHARDSON: Thank you,
3 Mr. Speaker. So the memo is dated August 5th, and
4 I think the Judge's Order was August 1st. So
5 during the period of August 1st, to August 5th, can
6 you tell me if the staff or anyone else, if their
7 behavior was in anyway limited in terms of having
8 conversations with people about the maps?

9 SPEAKER WEATHERFORD: Representative Corcoran.

10 CHAIRMAN CORCORAN: I can't say definitively
11 having not been here, Representative Richardson,
12 but I can say definitively having talked to them
13 that is not the case.

14 SPEAKER WEATHERFORD: Representative
15 Richardson.

16 REPRESENTATIVE RICHARDSON: So if I
17 understand, you had a conversation with all of the
18 staff and they advised you that they did not have
19 any conversations or input from anyone, even prior
20 to the date of your memo, is that -- is that your
21 representation?

22 SPEAKER WEATHERFORD: Representative Corcoran.

23 CHAIRMAN CORCORAN: That is the -- that is
24 correct. And counsel just informed me that they
25 were immediately upon the ruling informed not to

♀

1 have those conversations by House counsel.

2 SPEAKER WEATHERFORD: Representative
3 Richardson.

4 REPRESENTATIVE RICHARDSON: Thank you,
5 Mr. Speaker. I noticed on this they were -- they
6 were limited to not have any interactions with
7 members of Congress. I know what that means.
8 Congressional staffers, I know what that means.
9 But it says or with any political consultant.

10 Can you at the moment to understand, what did you
11 mean there? What is a political consultant?

12 SPEAKER WEATHERFORD: Representative Corcoran.

13 CHAIRMAN CORCORAN: I think generally, I mean,
14 I can pull out a dictionary and try to get a
15 Webster's definition, but I think we all know what
16 a political consultant is. Someone who gives you
17 political advice related to the electoral process.

18 SPEAKER WEATHERFORD: Representative
19 Richardson for a follow up.

20 REPRESENTATIVE RICHARDSON: Thank you,
21 Mr. Speaker. You know, when I was running for
22 office in '12, I remember so many people giving me
23 so much free advice. And I guess in their mind
24 they were political consultants.

25 So would in this case, would a political

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

97

1 consultant be only a paid, someone paid to give
2 advice, or would they be -- would it also include

3 someone who is unpaid, but offering their
4 consultancy without remuneration?

5 SPEAKER WEATHERFORD: You are recognized.

6 CHAIRMAN CORCORAN: Representative, whether
7 that person was paid, whether that person was
8 unpaid, whether that person was a Republican
9 consultant, an MPA consultant, an Independent
10 consultant, a Democratic consultant, it doesn't
11 matter.

12 Any consultant that would have tried to make
13 that approach did not -- was not allowed and that
14 was the point of the memo.

15 SPEAKER WEATHERFORD: For a follow up.

16 REPRESENTATIVE RICHARDSON: Just so that I am
17 absolutely clear. Is -- if a person were offering
18 their advice without compensation or without a
19 proper title of being a political consultant, would
20 staff have been permitted to have these
21 interactions in that case?

22 SPEAKER WEATHERFORD: Representative Corcoran.

23 CHAIRMAN CORCORAN: If they had some sort of
24 conversation that wasn't covered in that memo with
25 whoever it might be that wasn't related to the

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

98

1 redistricting process or the maps specifically or
2 having some sort of purpose of addressing those
3 maps or looking at those maps, then they were
4 having a conversation with their friend after work,
5 they are more than entitled to.

6 SPEAKER WEATHERFORD: For a follow up.

7 REPRESENTATIVE RICHARDSON: Thank you,
8 Mr. Speaker. So I think I heard that if, if they
9 wanted to have a conversation with their friends
10 and their friends wanted to give them some advice
11 on this, that would be okay. Am I understanding
12 that correct?

13 SPEAKER WEATHERFORD: You are recognized.

14 CHAIRMAN CORCORAN: No, I specifically said
15 not regarding the maps.

16 SPEAKER WEATHERFORD: For a follow up.

17 REPRESENTATIVE RICHARDSON: Thank you,
18 Mr. Speaker. I also want to focus on the word
19 interaction in your memo. You know, that can mean
20 different things to different people. Sometimes
21 people think interaction, because inter meaning
22 between, has to be an exchange of conversation
23 where one person listens and another person talks
24 and vice-versa.

25 So would it be covered in your memo if a

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

99

1 member of the staff just listened, but does not
2 speak? Would that be included in an interaction
3 and be prevented?

4 SPEAKER WEATHERFORD: You are recognized.

5 CHAIRMAN CORCORAN: Representative, I mean,
6 here is what I am going to say. Is looking at the
7 Judge's Order, looking at the issues that he had,
8 we wrote that memo to make sure that this process

9 is -- was done in the best fashion possible. Staff
10 fully understood the intent, every other member I
11 have spoken to fully understood the intent of that
12 memo.

13 They followed that memo to a T, and what is,
14 the map that is before you is free from any kind of
15 involvement from any person that would have in any
16 way, shape or form been inappropriate.

17 SPEAKER WEATHERFORD: For a follow up.

18 REPRESENTATIVE RICHARDSON: Thank you,
19 Mr. Speaker. Moving on to another question that
20 was just asked by Representative Pafford. He asked
21 when was the first time you had an exchange with
22 Senator Galvano and you, you responded, if I heard
23 you correctly, that you had a meeting on the 5th.

24 So I am wondering if you had a phone
25 conversation with him before you arrived on the

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

100

1 5th?

2 SPEAKER WEATHERFORD: Representative Corcoran.

3 CHAIRMAN CORCORAN: I did not.

4 SPEAKER WEATHERFORD: For a follow up.

5 REPRESENTATIVE RICHARDSON: Thank you,
6 Mr. Speaker. A different question was asked about
7 the map, and I think that it was your response to
8 Representative Waldman that you said that there
9 were no prior iterations of the map that was filed
10 with the Bill.

11 Now, I know when I write a Bill oftentimes I

12 will put something in the drafting and then I have
13 got to work on it and tweak it and so forth. So
14 were there any earlier versions of the map, or if
15 you look at this Bill there is really not a map in
16 the Bill. It is just a narrative description of
17 the map. So was there an earlier version before it
18 went to Bill drafting?

19 SPEAKER WEATHERFORD: Representative Corcoran.

20 CHAIRMAN CORCORAN: There were earlier drafts
21 that have been kept.

22 SPEAKER WEATHERFORD: For a follow up.

23 REPRESENTATIVE RICHARDSON: Thank you,
24 Mr. Speaker. And those earlier versions, were they
25 in -- I assume those were in Word or some sort of

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

101

1 software before that was sent to Bill drafting.

2 Can you help me understand what you mean by that?

3 SPEAKER WEATHERFORD: Representative Corcoran.

4 CHAIRMAN CORCORAN: They were all in My
5 District Builder, as I said at the outset.

6 SPEAKER WEATHERFORD: For a follow up.

7 REPRESENTATIVE RICHARDSON: When you say, in
8 your district folder, do you mean an electronic
9 folder? I am trying to find out if they are --
10 normally when I sent a Bill to Bill drafting I have
11 worked on something perhaps in a Word processing
12 software and then I send it to Bill drafting, they
13 upload it.

14 So I am trying to find out if there was

15 something written before it was sent in drafting,
16 or if you hand wrote something and they typed it up
17 in Bill drafting.

18 SPEAKER WEATHERFORD: Representative Corcoran.

19 CHAIRMAN CORCORAN: The drafts we have in the
20 redistricting suite that you can come look at. My
21 District Builder is the software program where you
22 build the maps, not my district folder, My District
23 Builder, it is the software.

24 SPEAKER WEATHERFORD: For a follow up.

25 REPRESENTATIVE RICHARDSON: Thank you,

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

102

1 Mr. Speaker. So when you responded to
2 Representative Waldman that there was not a
3 different version, you were talking about there
4 wasn't a different version once it got to Bill
5 drafting, but you -- you do have different versions
6 prior to the fact, prior to putting it into Bill
7 drafting, is that correct?

8 SPEAKER WEATHERFORD: You are recognized.

9 CHAIRMAN CORCORAN: Yes. What Representative
10 Waldman and I, I believe we were talking about was
11 he was quoting from the Court opinion where they
12 had the strategy of releasing a map and then making
13 it get better along the process, and I was saying
14 that is not what we did.

15 Sure, we worked on the map and had different
16 drafts, but once we released it was the final map.
17 There was no desire to go beyond what was released

18 unless it was the will of the body.

19 SPEAKER WEATHERFORD: You are recognized.

20 REPRESENTATIVE RICHARDSON: Thank you, sir.

21 And the earlier versions that you have in the suite
22 that you mentioned, are they in a similar format as
23 the Bill, in that they are in narrative format, or
24 is there -- are there physical, physical maps of
25 the earlier version? Because again, there is no

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

103

1 physical map in the Bill, it is a narrative
2 description.

3 SPEAKER WEATHERFORD: Representative Corcoran.

4 CHAIRMAN CORCORAN: There -- they are not in a
5 narrative form, they are like physical maps that
6 you would see like that.

7 SPEAKER WEATHERFORD: For a follow up.

8 REPRESENTATIVE RICHARDSON: And can you tell
9 me approximately how many physical maps earlier
10 version there are in the suite before we got to the
11 final one that is in this Bill, approximately?

12 SPEAKER WEATHERFORD: Representative Corcoran.

13 CHAIRMAN CORCORAN: It is around five, but I
14 mean, we can figure it out, you are more than
15 welcome to look at them.

16 SPEAKER WEATHERFORD: For a follow up.

17 REPRESENTATIVE RICHARDSON: And can you tell
18 me if there are one or two or three remarkable
19 items that changed between the first version as you
20 moved through to version five, what were the

21 substantive changes, if you can recall?

22 SPEAKER WEATHERFORD: Representative Corcoran.

23 CHAIRMAN CORCORAN: There -- staff by the way
24 informed me that there were three iterations, not
25 around five. Yes, I mean, there was -- and the

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

†

104

1 staff testified to this during the committee
2 meeting, I don't know if you got a chance to see
3 it, Representative, but there was a lot of
4 discussion on Osceola County whether we split it.

5 There was a discussion about the flag, which
6 was the northern part of the Osceola County
7 boundary, and then it was all around trying to,
8 according to the Court Order, increase those
9 compactness standards in the districts and only
10 those that were affected around it.

11 So they were just trying, okay, if we did
12 this, what is the -- what is the Reock score, what
13 did it visually look like as opposed to the last
14 iteration.

15 SPEAKER WEATHERFORD: Further questions?
16 Further questions. Representative Stewart.

17 REPRESENTATIVE STEWART: Thank you, Speaker.
18 I just have a couple of questions, and that is when
19 the process is completed and a map is chosen, will
20 that map be forwarded then to the Judge and that
21 map only?

22 SPEAKER WEATHERFORD: Representative Corcoran.

23 CHAIRMAN CORCORAN: I don't understand. I

24 mean, this is the only map that we are putting
25 forward that would go back to the Judge, if I

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

105

1 understand your question correctly.

2 SPEAKER WEATHERFORD: You are recognized.

3 REPRESENTATIVE STEWART: Thank you. My
4 question I guess then would be, you know, there
5 will be -- there has been two maps that I am aware
6 of that were discussed so far.

7 Would -- do you think that the Judge would be
8 interested in hearing that we discussed many
9 options, and that those options would also be
10 forwarded to him before the final map suggestion
11 was given to him?

12 SPEAKER WEATHERFORD: Representative Corcoran.

13 CHAIRMAN CORCORAN: No, I think that that he
14 wants and what he instructed us to do was to fix
15 the map that he invalidated the two districts in
16 and send him back the corrected map, which is what
17 we will do.

18 SPEAKER WEATHERFORD: You guys drinking coffee
19 back there? What is going on. Representative
20 Rodriguez, you are next. You are recognized.

21 REPRESENTATIVE RODRIQUEZ: Thank you,
22 Mr. Speaker, and Representative, Chair Corcoran,
23 thanks for hanging in there.

24 I wanted to ask you a question for just
25 clarification purposes, and this came up I think

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

Page 95

♀

1 during the Joint Meeting where some of the line of
 2 questioning was to try to get at with respect to
 3 the Tier 1 standards that constrain us in terms of
 4 what we can and can't do with District 5.

5 Part of the questioning was getting at the
 6 BVAPs or the black voting age population
 7 percentage, and I think it was Senator Bradley who
 8 asked the question about the legal advice or the
 9 legal opinion that we have gotten from House
 10 counsel at least, that informs our decision on how
 11 we interpret those Tier 1 standards.

12 And I just wanted to ask for clarification
 13 purposes, could you state just as clearly as
 14 possible with percentages what legal advice are we
 15 relying on here in the House in terms of, you know,
 16 what we can do about the BVAP percentage?

17 SPEAKER WEATHERFORD: Representative Corcoran.

18 CHAIRMAN CORCORAN: I think that in that, I
 19 mean, you have been asking some great questions
 20 throughout the committee process, Representative
 21 Rodriguez, and I think that was the one that you
 22 asked in the Thursday or, the Thursday Joint
 23 Meeting, and I think counsel had gone through the
 24 whole Tier 1 standards, the Section II vote
 25 delusion Section V diminishment.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

1 And I think what his answer to you, if I
 Page 96

2 remember correctly, was that there is no magic
3 number.

4 SPEAKER WEATHERFORD: We are going to do one
5 more follow up and then we going to take a brief
6 recess to give Representative Corcoran a chance to
7 catch his breath a little bit.

8 So Representative Rodriquez, ask a question
9 and we will take a little bit of a break after
10 that.

11 REPRESENTATIVE RODRIQUEZ: Thank you,
12 Mr. Chair. I think that is well warranted, I will
13 keep my question real brief.

14 I believe again Senator Bradley asked a
15 question in which in response I think he got a
16 range from, I believe it was House counsel in terms
17 of what House counsel was advising us that he
18 believed was legally permissible, and I think the
19 range was somewhere between 48.06 or something like
20 that percent to 50 percent was the range that was
21 permissible.

22 Could you clarify again what House counsel has
23 been advising us in terms of informing this process
24 that the black voting age population for example
25 couldn't go below 48.06 percent and still be

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

108

1 defensible?

2 SPEAKER WEATHERFORD: Representative Corcoran.

3 CHAIRMAN CORCORAN: I don't recall that being
4 stated at all. I don't remember that line of

5 question with Representative Bradley. I don't
6 think that was the case. I think he made it very
7 clear that there wasn't a magic number, and that
8 what was required was to do this functional
9 analysis that looked at a host of criteria to get
10 to a number. And I think he also on that point, I
11 can't remember if it was specifically to that
12 question, but he had mentioned to you, if you go
13 through and you look, and the same analysis that we
14 did in that functional analysis, we matched up with
15 the apportionment one that the Supreme Court did
16 when they looked at one of the Senate Districts.

17 But again, you have to do that functional
18 analysis, look at the whole thing and there is, he
19 walked you through the whole point about, you know,
20 it is not a binary number. It is not a range. I
21 think to your point, and I might have said it,
22 Representative Rodriguez, is that this Judge said
23 that 48.03 in Congressional District 5 did not
24 retrogress.

25 I did say that, but beyond that I don't think

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

109

1 there was a discussion other than that you would
2 have to do that analysis, which is an in-depth
3 analysis and that there is no binary number.

4 SPEAKER WEATHERFORD: Okay. Members, we are
5 going to take a 15 minute recess. It is 3:08.
6 Let's call it 3:25. Come back at about 3:25. And
7 so the House will stand in informal recess until

8 3: 25.

9 (Brief recess taken.)

10 SPEAKER WEATHERFORD: Members, nobody seemed
11 to get excited during recess. We are now back and
12 we are back on Q and A. I believe we were on
13 Representative Rodriguez. Thank you for your
14 patience, sir. You are recognized for a question.

15 REPRESENTATIVE RODRIQUEZ: Thank you,
16 Mr. Speaker. This is a follow up on the last
17 question.

18 And you were kind enough to clarify that there
19 is no magic number that we are relying on for the
20 BVAP percentage, and that instead there is a
21 functional analysis.

22 So I wanted to ask for your confirmation on
23 some of the numbers that we have on the district.
24 And I just want to say that I know that in the
25 Court opinion it said that District 5 has never

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

110

1 been a majority/minority district, but has
2 consistently elected black members, black members
3 of Congress.

4 But the data that we have that was I think
5 provided in committee on the district as drawn,
6 what we are considering right now, is that in 2012,
7 would this district have existed, 69.3 would have
8 voted for President Obama, and in 2010, had that
9 existed, 65.2 would have voted in favor of Alex
10 Sink.

14 of the staff analysis for the percentage of the
15 electorate in '10, the percentage, I am sorry, the
16 Democratic electorate being 65.28 percent.

17 And then referring back to the sheet which I
18 just showed you that shows that in 2012, the
19 percentage of the Democratic electorate being
20 68 percent black. Are those numbers accurate?

21 SPEAKER WEATHERFORD: You are recognized.

22 CHAIRMAN CORCORAN: Yes, I believe so.

23 SPEAKER WEATHERFORD: For a follow up.

24 REPRESENTATIVE RODRIQUEZ: Thank you,
25 Mr. Speaker. So is it fair to say that we have a

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

112

1 district that overwhelmingly performs for Democrats
2 and that black Democrats account for almost
3 two-thirds in 2010, and well over two-thirds of the
4 Democratic electorate in 2012?

5 SPEAKER WEATHERFORD: Representative Corcoran.

6 CHAIRMAN CORCORAN: I think the map that we
7 put before you, looking at those numbers that are a
8 part of the functional analysis, does preserve the
9 Tier 1 and the Voting Rights Act rights maintained
10 by the voters in that district to elect a candidate
11 of their choice through, without, by not
12 diminishing.

13 SPEAKER WEATHERFORD: For a follow up.

14 REPRESENTATIVE RODRIQUEZ: Thank you,
15 Mr. Speaker. And on a different line of
16 questioning. With respect to the map that we have

17 here, many of our colleagues asked about District
18 9, and the impact on District 9 and the Hispanic
19 voting age population that would be impacted.

20 You expressed that part of the goal in
21 originally drawing this map was to put the district
22 in a future posture to be a, I don't know if the
23 word is opportunity or access, but Hispanic access
24 seat, and that, you know, the Court basically said
25 that -- the Court and I think all of the analysis

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

113

1 that I have seen is that it may be and it is
2 expected to become a Hispanic opportunity or access
3 seat, but not yet.

4 But I wanted to ask the specific question and
5 you went over in detail on, you know, on all of
6 those aspects, but I wanted to ask, if an analysis
7 has been done on specifically this question, which
8 is the enacted map that we have right now, there is
9 a prediction as to at what point it will be
10 opportunity or access for a Hispanic voting age
11 population, but that would presumably change under
12 the map that we are considering today.

13 Has there been an analysis, and to put it
14 crudely, on how much longer it will take to become
15 a Hispanic opportunity or access seat because of
16 the changes we are making today?

17 SPEAKER WEATHERFORD: Representative Corcoran.

18 CHAIRMAN CORCORAN: When you were going down
19 this line of questions you might recall,

20 Representative Rodriquez, that it wasn't even in
21 dispute from any of the parties, the Judge, anyone
22 that this is not a Tier 1 protected district. So
23 that analysis was not done.

24 SPEAKER WEATHERFORD: Follow up.

25 REPRESENTATIVE RODRIQUEZ: Thank you,

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

114

1 Mr. Speaker. And I think the last couple of
2 questions I had related to the memorandum dated
3 August 5th, which Representative Richardson so
4 artfully asked a couple of questions on.

5 And the first is that as I see the memorandum,
6 I don't see any instruction to staff to preserve
7 records, to keep records or to refrain from
8 destroying records. Was any direction provided to
9 staff on retaining and not destroying records?

10 SPEAKER WEATHERFORD: Representative Corcoran.

11 CHAIRMAN CORCORAN: I think I said earlier, I
12 can't remember if I sent that via e-mail or orally,
13 but, I mean, throughout the post ruling we have
14 instructed everyone, members, too, not to destroy
15 any of their documents.

16 SPEAKER WEATHERFORD: I would also like to
17 point out, members, it has been a long day already
18 but we are getting into the part where we are
19 asking the same question four or five different
20 ways. If the question has already been asked, we
21 would ask you to kind of move on to another area.

22 Representative Corcoran, we will leave it to

23 your discretion whether or not you feel like you
24 have answered a question numerous times, but we
25 would like to chart some new ground here. You are

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

115

1 recognized. Representative Corcoran.

2 CHAIRMAN CORCORAN: First, let me say,
3 Mr. Speaker, Representative Brodeur has been kind
4 enough to inform me that as much as I am a purist
5 on the rules and function, I have yet to say thank
6 you, Mr. Speaker, for giving me the recognition to
7 speak. So I sincerely apologize and I will try to
8 do it hereto forward.

9 SPEAKER WEATHERFORD: I thought it was just a
10 matter of protest since I asked you to Chair the
11 Select Committee.

12 CHAIRMAN CORCORAN: But staff just informed me
13 that it was an e-mail from our House General
14 Counsel that went to staff and every member. You
15 should have gotten one, too.

16 SPEAKER WEATHERFORD: For a follow up.

17 REPRESENTATIVE RODRIQUEZ: Thank you,
18 Mr. Speaker. Could you clarify, when was that
19 e-mail sent?

20 SPEAKER WEATHERFORD: Representative Corcoran.

21 CHAIRMAN CORCORAN: Thank you, Mr. Speaker.
22 Do we know the exact date? We can get that for
23 you, Representative Rodriquez.

24 SPEAKER WEATHERFORD: For a follow up.

25 REPRESENTATIVE RODRIQUEZ: Thank you,

♀

1 Mr. Speaker. And have -- has the House gotten a
2 legal opinion as to what, you know, what our
3 recordkeeping requirements are in this
4 circumstance? With respect to records related to,
5 you know, the process that we went through to
6 create these maps, have we gotten a legal opinion
7 on what our recordkeeping requirement is by law,
8 and if so, what is that opinion?

9 SPEAKER WEATHERFORD: Representative Corcoran.

10 CHAIRMAN CORCORAN: It wasn't -- the
11 recommendation of legal counsel volitionally, not
12 by law, was to keep everything.

13 SPEAKER WEATHERFORD: Representative
14 Rodriguez, you are recognized.

15 REPRESENTATIVE RODRIQUEZ: Thank you,
16 Mr. Speaker. So just for clarification purposes,
17 is -- so was the recommendation of counsel that we
18 had no legal requirement to preserve the records,
19 but that we should?

20 SPEAKER WEATHERFORD: Representative Corcoran.

21 CHAIRMAN CORCORAN: I don't have it in front
22 of me, but I believe that was in the opinion by the
23 Court, that what you just said is true. But having
24 said that, airing on the side of caution we said we
25 are going to keep everything.

♀

1 SPEAKER WEATHERFORD: Follow up.

2 REPRESENTATIVE RODRIQUEZ: Thank you,
3 Mr. Speaker. And I just, I also wanted to ask
4 another question about the memo. In the second
5 paragraph of the memo that we talked about before
6 the second, I guess the first sentence instructs
7 staff to work collaboratively with their
8 counterparts in the Senate.

9 And I just wanted to ask if any direction was
10 given to staff to work collaboratively with leaders
11 of the minority caucus?

12 SPEAKER WEATHERFORD: Representative Corcoran.

13 CHAIRMAN CORCORAN: Thank you, Mr. Speaker.
14 Unlike 50 percent and I am up to, but I think I
15 honestly, Representative Rodriguez, I think I went
16 through that whole concept. I think everyone has
17 been treated fairly. I think everyone has had that
18 opportunity. Obviously there wasn't anything
19 specific to that, to your point, but I think we
20 have hit that one about 10 times if that is okay,
21 but if you want me to go into more explanation I
22 would be glad to.

23 SPEAKER WEATHERFORD: Further questions?

24 Further questions? Representative Dudley for a
25 question.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

118

1 REPRESENTATIVE DUDLEY: Thank you,

2 Mr. Speaker. Representative Corcoran, and I don't

3 say this to impugn anybody here, but it is a
4 concern obviously the costs associated with us
5 being here, hundreds of thousands of dollars, maybe
6 millions before it is all over.

7 Have you spent any time looking at and
8 considering penalties, civil or criminal, to
9 address some of the activities that occurred in the
10 process? I am told Representative Clarke-Reed went
11 to 26 of these meetings around the state, and
12 certain individuals would get up and say they drew
13 maps or, you know, were responsible for maps.

14 And I think the people have the right to know
15 how that happened and who was responsible for doing
16 these things, and that perhaps civil and criminal
17 penalties might apply to that kind of fraudulent
18 conduct. So I am wondering if not now, but maybe
19 going forward we can try to make sure, assure that
20 the taxpayers are not going to -- or we as an
21 institution don't forget that we had to go through
22 this, because I am sure the taxpayers don't forget
23 this, that we try to rectify this.

24 And what plan, if any, do you have to address
25 that, this major shortcoming that we have had, to

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

119

1 have to come back?

2 SPEAKER WEATHERFORD: Representative Corcoran.

3 CHAIRMAN CORCORAN: Thank you, Mr. Speaker.

4 Representative Dudley, again, in this process the
5 memo that we outlined and we sent out the directive

6 from General Counsel I think in this process we
7 looked at a lot of those things that were
8 mentioned, and in this process we have been very
9 disciplined in all those things that caused, as I
10 said earlier, disgust from the Judge related to the
11 process. Beyond that I have not heard discussions
12 related to the other part of your question.

13 SPEAKER WEATHERFORD: For a follow up.

14 REPRESENTATIVE DUDLEY: Can we be assured
15 going forward that we make this a priority? In
16 other words, you know, you have looked at it, you
17 have seen it, it is a sensitive issue right now,
18 but maybe 10 years from now it is not going to be
19 sensitive and we shouldn't have to go through this
20 again 10 years from now or the future Legislature
21 10 years from now.

22 So can we be assured that there will be an
23 emphasis put on creating some kind of something to,
24 you know, consequences, accountability for the kind
25 of conduct that occurred as a result in this and us

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

120

1 being back here and all of this money being spent?

2 SPEAKER WEATHERFORD: Representative Corcoran.

3 CHAIRMAN CORCORAN: Thank you, Mr. Speaker.

4 Hopefully Representative Dudley, with what we have
5 done here, we are talking about a Legislature that
6 is going to be seated in 2022, but hopefully, my
7 hope is that we will be done here today, it will be
8 done well to the point that people after us would

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

♀

1
2
3
4
5
6
7
8
9
10
11

want to emulate it.
SPEAKER WEATHERFORD: Further questions?
Seeing none, move the Bill to third reading. The
resolution is on the desk.
SPEAKER WEATHERFORD: Questions, questions in
sponsor, further questions? Are there amendments?
READING CLERK: Bill on the desk, Mr. Speaker.
SPEAKER WEATHERFORD: Is there debate, is
there debate on the resolution? Seeing none,
President (inaudible), you are recognized to close.
Waives close.
A VOICE: As the President moves the adoption
of all in favor, all in favor say yea.
(Chorus of yeas.)
SPEAKER WEATHERFORD: Opposed no, show the
resolution is adopted. The Clerk will unlock the
machine and the members will be able to vote. The

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

121

Clerk will lock the machine and announce the vote.
READING CLERK: 109 co-sponsors, Mr. Speaker.
SPEAKER WEATHERFORD: Read the next Bill.
READING CLERK: None on the desk, Mr. Speaker.
SPEAKER WEATHERFORD: I apologize,
Representative Williams, you are recognized for a
motion.
REPRESENTATIVE WILLIAMS: Thank you,
Mr. Speaker. I move that the rules be waived to
introduce House Resolution 5-A and read it as a
first and second time by title.

12 SPEAKER WEATHERFORD: Representative Williams
13 moves that the rules be waived and introduce HR
14 5-A. Read it the first and second time by title,
15 all in favor say yea.

16 (Chorus of yeas.)

17 SPEAKER WEATHERFORD: Opposed, no. Show
18 motion approved. Read the Bill first and second
19 time by title.

20 (Brief recess taken.)

21 SPEAKER WEATHERFORD: Read the next
22 resolution.

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

24 SPEAKER WEATHERFORD: Okay, members, here is
25 what we are going to do. Right now it is 3:55. We

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

122

♀

1 are going to come back in, Leader Thurston, an
2 hour, take an hour recess, the Senate is debating
3 the Bill currently. We have to wait on the Senate
4 Bill to come over. We are going to take an hour
5 recess, we will be right back here at 5:00 p.m.

6 At that point we will debate hopefully in a
7 structured format the Bill that comes over from the
8 Senate, and we will hopefully be able to pass
9 something out and everything can go home today.

10 That is the plan, we will see you back at
11 5:00 o'clock. We are in recess.

12 (Brief recess taken.)

13 SPEAKER WEATHERFORD: The Clerk will unlock
14 the machine and announce the presence of a quorum.

15 READING CLERK: 107 members voting. A quorum
16 is present, Mr. Speaker.

17 SPEAKER WEATHERFORD: Members, please take
18 your seats. Representative Schenck, what purpose
19 do you rise?

20 REPRESENTATIVE SCHENCK: Sorry, Mr. Speaker, I
21 am a little rusty. To make a motion, to move that
22 Rule 10.12 be waived, that we adopt a special
23 debate procedure for SB 2-A on third reading today.

24 SB 2-A total debate time will not exceed 60
25 minutes. The sponsor will explain and close the

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

†

123

1 Bill, closing not to exceed five minutes. No
2 member may be recognized more than once, and all
3 recognitions will go through the Speaker.

4 SPEAKER WEATHERFORD: Representative Schenck
5 moves that the rule be waived to adopt the special
6 debate procedures. Are there questions?
7 Objections? All in favor signify by saying yea.

8 (Chorus of yeas.)

9 SPEAKER WEATHERFORD: Opposed, no. Show the
10 special debate procedures adopted. Are there
11 messages on the desk?

12 READING CLERK: On the desk, Mr. Speaker.

13 SPEAKER WEATHERFORD: Read the first message.

14 READING CLERK: The Honorable Will
15 Weatherford, Speaker, I am directed to inform the
16 House of Representatives that the Senate has passed
17 Senate Bill 2-A as amended and request the

18 concurrence of the House, Debbie Brown, Secretary.

19 By Senator Galvano, Senate Bill 2-A, a Bill to
20 be entitled, an act establishing the Congressional
21 Districts of the state.

22 SPEAKER WEATHERFORD: Representative Corcoran,
23 you are recognized for a motion.

24 CHAIRMAN CORCORAN: Thank you, Mr. Speaker.
25 Mr. Speaker, I move to waive the rules and read

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

124

‡

1 Senate Bill 2-A a second time by title.

2 SPEAKER WEATHERFORD: Representative Corcoran
3 moves the rules be waived to read SB 2-A a second
4 time by title. Is there any debate on the motion?
5 Any debate? All those in favor signify by saying
6 yea.

7 (Chorus of yeas.)

8 SPEAKER WEATHERFORD: Opposed no. Show the
9 motion is agreed to. Read the Senate Bill a second
10 time by title.

11 READING CLERK: By Senator Galvano, Senate
12 Bill 2-A, a Bill to be entitled an act establishing
13 the Congressional Districts of the state.

14 SPEAKER WEATHERFORD: Representative Corcoran,
15 you are recognized to explain the Senate Bill.

16 CHAIRMAN CORCORAN: Members of the Senate Bill
17 is substantively identical to the House Bill.
18 There was one technical change. It is -- all the
19 technical change did was clarify legislative intent
20 on the date of the enactment.

21 SPEAKER WEATHERFORD: Representative Waldman
22 for a question.

23 REPRESENTATIVE WALDMAN: Thank you,
24 Mr. Speaker. Could you explain how the enactment
25 date would work under the amendment, please?

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

125

1 SPEAKER WEATHERFORD: Representative Corcoran.

2 CHAIRMAN CORCORAN: Thank you, Mr. Speaker.
3 All it does is clarify to ensure that through the
4 2014 cycle, is the existing map. After the 2014
5 cycle, November 2014 cycle, is the new map that we
6 just drew today.

7 SPEAKER WEATHERFORD: Representative Waldman.

8 REPRESENTATIVE WALDMAN: Thank you,
9 Mr. Speaker. So does that mean that the Judge's
10 hands are tied at this point, and if the Judge
11 decides to hold something after the 2014 cycle, he
12 can't do that?

13 SPEAKER WEATHERFORD: Representative Corcoran.

14 CHAIRMAN CORCORAN: I think that if you read
15 his opinion he recognizes the legal aspects to
16 doing something prior to November of 2014, but he
17 retains that. We don't effect whatever he has
18 retained, but what we are saying is if it is a
19 2014, and the election is in November, it is under
20 the existing map, if not, then it is under the map
21 that we just passed.

22 SPEAKER WEATHERFORD: Representative Waldman.

23 REPRESENTATIVE WALDMAN: Thank you,

24 Mr. Speaker. Then aren't we exactly doing what I
25 just asked you we were doing, we are tying his

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

126

1 hands? We are saying you can't hold a special
2 election that would exceed that 2014 cycle, in
3 November?

4 SPEAKER WEATHERFORD: Representative Corcoran.

5 CHAIRMAN CORCORAN: I think, Representative
6 Waldman he clarified, I think in his opinion he
7 said that that legally isn't feasible.

8 SPEAKER WEATHERFORD: Representative Waldman.

9 REPRESENTATIVE WALDMAN: Thank you,
10 Mr. Speaker. And I did read his opinion and I
11 don't recall seeing him talk about that it wasn't
12 feasible. He did talk in terms of the difficulty
13 of it and what could possibly happen. But he said
14 was actually going to wait for the Supervisors of
15 Elections to present a plan to him and let him know
16 if it could be done. Isn't that what he did, and
17 he didn't said say it wasn't feasible?

18 SPEAKER WEATHERFORD: Representative Corcoran.

19 CHAIRMAN CORCORAN: He did. Thank you,
20 Mr. Speaker. He did, Representative Waldman, but
21 again, in order to do that what he discussed about
22 it being very difficult would be the fact that you
23 already have a million absentee ballots out, you
24 have ten's of thousands of ballots that have gone
25 oversees and to our military veterans, and when we

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491
Page 114

1 had that committee on Thursday and testimony from
2 the Supervisor of Elections, even after that date
3 someone asked him was it possible to do it in
4 December, and even after that November date, the
5 Supervisor said you would have to change multiple
6 laws, both State and Federally.

7 SPEAKER WEATHERFORD: For a follow up.

8 REPRESENTATIVE WALDMAN: Thank you,
9 Mr. Speaker. So following your logic of what you
10 just said about these hundreds of thousands of
11 absentee ballots going overseas and all, wouldn't
12 it have been better to have adopted the Thurston
13 amendment that was heard in committee, which only
14 affected three districts which would have meant a
15 whole lot fewer people that would have been
16 affected as opposed to the seven in your plan?

17 SPEAKER WEATHERFORD: You are recognized.

18 CHAIRMAN CORCORAN: Thank you, Mr. Speaker.
19 Again, that issue that you raise was not discussed
20 at all by Judge Lewis on whether -- his whole
21 instructions to us were fix 5 and fix 10 which he
22 found invalid and only those districts necessary
23 beyond that.

24 We fixed 5, we fixed 10 and only those
25 districts necessary beyond that. The Thurston map

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

1 would have again had the same time constraints that
Page 115

2 we would have. It would have just been less local
3 Supervisors impacted.

4 SPEAKER WEATHERFORD: For a follow up.

5 REPRESENTATIVE WALDMAN: Thank you,
6 Mr. Speaker. So I am looking at page 2 of the
7 Judge's Order on Defendant's motion to amend the
8 judgment. This was the second and this is where he
9 talked about the special elections and his
10 opportunity to do whatever he -- it is that he
11 could do.

12 And he said in this, and I am looking at one,
13 two, the third paragraph, it says, the
14 Legislature's only obligation is to produce a
15 constitutionally compliant map.

16 Aren't we going further by setting an
17 effective date upon this?

18 SPEAKER WEATHERFORD: You are recognized.

19 CHAIRMAN CORCORAN: No, I think we are
20 establishing a legislative intent on when we want
21 this map enacted.

22 SPEAKER WEATHERFORD: Follow up.

23 REPRESENTATIVE WALDMAN: Thank you,
24 Mr. Speaker. But that is not what the Judge
25 ordered us to do. He just said, produce a map. He

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

129

1 di dn' t say anything about legislative intent or
2 anything like that. So aren't we not complying
3 with his Order?

4 SPEAKER WEATHERFORD: Representative Corcoran.
Page 116

5 CHAIRMAN CORCORAN: Thank you, Mr. Speaker.
6 No, I think, Representative Waldman, what this
7 legislative body believes under a separation of
8 powers is that is something that is under our
9 jurisdiction and we are certainly going to preserve
10 and hold that power for the legislative body and
11 not acquiesce or give that to somebody else.

12 SPEAKER WEATHERFORD: You are recognized.

13 REPRESENTATIVE WALDMAN: Thank you,
14 Mr. Speaker. Well, I am just very concerned about
15 doing anything, first of all, beyond the call of
16 the special session and beyond the call of what the
17 Judge ordered. And if in fact we are going beyond
18 what the Judge has ordered we run the risk of not
19 complying with his Order, and I don't think anybody
20 here wants to not comply with his Order.

21 So what legal basis do you have to state that
22 we can actually do what you want to do, say when
23 the map is effective? In essence the map was
24 supposed to be effective already. So we blew that.
25 So legal basis are you citing that is going to

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

130

1 protect us from that challenge?

2 SPEAKER WEATHERFORD: You are recognized.

3 CHAIRMAN CORCORAN: It is the Legislature's
4 prerogative to do that and the Judge still retains,
5 Representative Waldman. To your point, if he wants
6 to do what you want him to do, he still can.

7 SPEAKER WEATHERFORD: Follow up.

8 REPRESENTATIVE WALDMAN: Thank you,
9 Mr. Speaker. And I don't want to get into debate,
10 I am just trying to find out what legal basis,
11 because the Judge issued an Order and you had -- he
12 is not there now, but you had Mr. Meros here
13 before, you had legal counsel here and of course
14 you have the whole staff behind you.

15 To go beyond the Judge's Order and not
16 complying with the Order potentially leaves us, the
17 Legislature, in contempt of court, and I am looking
18 at this. He is very clear about it, it is one
19 sentence right there. The Legislature's only
20 obligation is to produce a constitutionally
21 compliant map.

22 So how did you make that leap from doing that
23 to then telling him, but oh, by the way, it is not
24 effective until, until we say it is effective?

25 SPEAKER WEATHERFORD: Representative Corcoran.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

131

1 CHAIRMAN CORCORAN: Thank you, Mr. Speaker.
2 Representative Waldman, whether it was the original
3 redistricting map, whether it is this redistricting
4 map or whether it is any other Bill that this
5 legislative body passes, they all have an enactment
6 date. That is 100 percent within the authority,
7 constitutionally of the Legislature and we exercise
8 that.

9 SPEAKER WEATHERFORD: Representative Thurston.

10 REPRESENTATIVE THURSTON: Thank you,
Page 118

11 Mr. Speaker. Representative, in light of the fact
12 that this is the only change to the Bill that we
13 sent over, would you be willing to accept a
14 friendly amendment to strike that portion of the
15 Bill?

16 SPEAKER WEATHERFORD: Representative Corcoran.

17 CHAIRMAN CORCORAN: Thank you, Mr. Speaker.
18 This is the Senate Bill that has come over to us.
19 We have not sent our Bill to them. This is an
20 amendment that they did, that this is something
21 they had in their Bill that is coming over here, we
22 are conforming it to our Bill, and you are more
23 than welcome not to concur. Not that it is a
24 message.

25 SPEAKER WEATHERFORD: Representative Waldman.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

132

1 REPRESENTATIVE WALDMAN: Thank you,
2 Mr. Speaker. I think he was saying, he understands
3 that we didn't send the Bill over. What he was
4 saying that is the Bill that we discussed earlier
5 and we spent a good portion of the day on.

6 And so what he is just asking is, could we
7 just amend it at this point, take that provision
8 out, sent it back to the Senate because they are
9 sticking around, we know they have nothing else to
10 do tonight, so that is a great thing. There are no
11 other Bills out there, so this is a wonderful time
12 for it, we don't have to worry about Bills bouncing
13 back and forth.

14 Would you accept that, because if I understand
15 correctly, the way you are proposing it with the
16 amendment is potentially the election goes forward
17 with unconstitutional districts that are being
18 voted in? Is that -- so it is a two part question.

19 The first part is, would you be amenable to
20 the motion? And the second is essentially what you
21 are saying is if we can't change these for the 2014
22 election, then the voters are going to be voting on
23 unconstitutional districts?

24 SPEAKER WEATHERFORD: Representative Corcoran.

25 CHAIRMAN CORCORAN: Representative Waldman, to

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

133

1 your first point in terms of amendment, no, I like
2 the language that the Senate sent over to us and I
3 think it is better language. And as far as the
4 second part of the question, I think that
5 everything that we have done, including accepting
6 that language from the Senate is constitutional and
7 complies with the Judge's Order.

8 SPEAKER WEATHERFORD: Senator Thurston.

9 REPRESENTATIVE THURSTON: Thank you,
10 Mr. Speaker. Well, just, because I know you have
11 said this, but are you making it a known fact that
12 it is the legislative intent that the Judge can do
13 the things that Representative Waldman is saying
14 that we want him to have the authority to do?

15 Would you agree that that is what the
16 legislative intent is, notwithstanding the strict

17 reading of what you have got there?

18 SPEAKER WEATHERFORD: You are recognized.

19 CHAIRMAN CORCORAN: Leader Thurston, if --
20 legislative intent is our intent. I can't impute
21 legislative intent to a judicial member. I wish I
22 could. That would be a wonderful state, but I
23 can't.

24 In terms of our legislative intent, I am
25 telling you it is our legislative intent. He still

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

134

1 retains under the separation of powers, all of the
2 powers that are with him including some of the
3 concerns that Representative Waldman had.

4 As far as we are concerned, our legislative
5 intent is we like the language that has come over
6 from the Senate, we think it is better for the
7 people of Florida, and I am willing to accept it.

8 SPEAKER WEATHERFORD: Further questions,
9 Representative Rodriquez.

10 REPRESENTATIVE RODRIQUEZ: Thank you,
11 Mr. Speaker. I just following up on these, this
12 line of questioning. Specifically with respect to
13 the call of the session, which is a separate issue
14 from whether or not the map with the additions that
15 have been placed in the Senate complies with the
16 Court's Order, whether or not it complies with our
17 own call of session which, you know, this session
18 was called and I am quoting here from, you know,
19 the notice that we were given.

20 The sole and exclusive purpose of
21 reapportioning Florida's Congressional Districts.
22 So could you address the concern that, you know, if
23 passed and waiting into election law, that we could
24 potentially subject ourselves or subject this map
25 to a whole separate legal challenge based on going

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

135

1 beyond the call of session, whether or not that is
2 a concern or not and why?

3 SPEAKER WEATHERFORD: You are recognized.

4 CHAIRMAN CORCORAN: Thank you, Mr. Speaker.
5 One, I think it is 100 percent within the call.
6 And second, Representative Rodriguez, I am getting
7 a little bit confused, and forgive me, because I
8 swear during Q and A Representative Waldman told me
9 that the entire map was thrown out. I thought that
10 is what he was said and he was quoting from the
11 Judge's opinion.

12 So if the entire map was thrown out and we
13 wrote under Waldman's language, not mine, clearly
14 he said 25 to 27 districts were valid, but if that
15 is his reading of the opinion, that in essence when
16 he invalidated two, invalidated the entire map,
17 part of that entire map was the enactment date.
18 Part of this corrected map that we are sending back
19 to the Judge there is an enactment date. It is
20 100 percent within the call.

21 But it seems to me a little bit, but now you
22 guys are saying that is not part, that whole map

23 wasn't thrown out but in Q and A the whole map was
24 thrown out. That part I don't understand.

25 SPEAKER WEATHERFORD: Seeing no further

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

136

1 questions, are there amendments on the desk?

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

3 SPEAKER WEATHERFORD: Show the Bill rolled
4 over to third reading. Representative Corcoran,
5 you are recognized for a motion.

6 CHAIRMAN CORCORAN: Thank you, Mr. Speaker. I
7 move that the rules be waived to read Senate Bill
8 2-A a third time by title and place it on final
9 passage.

10 SPEAKER WEATHERFORD: Representative Corcoran
11 moves that the rules be waived to read SB 2-A, a
12 third time by title and place on final passage.
13 All in favor say yea.

14 (Chorus of yeas.)

15 SPEAKER WEATHERFORD: Opposed, no. The motion
16 is agreed to. Read the Senate Bill a third time by
17 title.

18 READING CLERK: By the Senator Galvano, Senate
19 Bill 2-A, a Bill to be entitled an act to establish
20 the Congressional Districts of the state.

21 SPEAKER WEATHERFORD: Are there any amendments
22 on the Senate Bill?

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

24 SPEAKER WEATHERFORD: Is there debate on the
25 Senate Bill? We are in debate. Clerk, if we could

♀

1 Let's start the debate clock. Representative
2 Thurston, you are recognized.

3 REPRESENTATIVE THURSTON: Thank you,
4 Mr. Speaker. Members, during questioning on
5 several occasions it was stated, during Q and A on
6 several occasions it was stated this Bill is just
7 like any other Bill, and that is why we met and
8 decided to take the process that we did.

9 Members, that couldn't be further from the
10 truth. We are here on special session, and this is
11 a special unfortunate reason that we are here.
12 Frankly, members, this is a sad day in the day of
13 the Legislature.

14 We have a Circuit Court Judge who has found
15 that there was a conspiracy to manipulate and
16 influence the redistricting process. A conspiracy,
17 he wrote, to influence and manipulate the
18 redistricting process.

19 Now, we would have you believe or some would
20 have you believe that it is just the operatives.
21 Well, members, I work with operatives. You work
22 with operatives. You know the strong will of the
23 members who are in charge of the Florida House back
24 when this was done in 2010. I think the Judge is
25 giving a lot of leniency when he says that these

♀

1 were just the operatives doing what was done that
2 causes us to be here based on this unconstitutional
3 action.

4 Operatives, ladies and gentlemen, members, do
5 not work on their own. Members, for 26 weeks we
6 traveled the state, 26 weeks, talking about open
7 and transparent. Open and transparent, and what
8 the Judge has said here, he said that we hear from
9 the public another secretive process. So while we
10 are traveling and we are telling them, this is open
11 and secret, the Judge has looked at all of the
12 evidence and he says we hid a secretive process.
13 Secretive and unconstitutional process.

14 You see, members, that is why we think that at
15 the least we should have been invited to the table
16 to start this process. When you take what the
17 Judge has found and his rulings, you would think
18 that, well, well, when we start this process over,
19 the least we are going to do is start out a process
20 where Democrats and Republicans and anybody else
21 who want to take part in this process.

22 The people for the central Florida so that
23 they can know that their interest is being looked
24 at. Those people from north Florida, so they can
25 know that we are all at this together. We are

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

139

1 going to make this work and we are going to do it
2 fair and impartial, but that is not what was done,

3 and that is why we are skeptical. That is why we
4 are asking questions.

5 That is why we think that it is a amazing that
6 there is no repercussions from anybody that was
7 involved in this process.

8 Now, I understand what counsel, what the
9 Leader said about the fact that his folks thinks
10 that if you are embarrassed in the public that is
11 sufficient, but we think there should be some
12 repercussion. We think that somebody should be
13 reprimanded for this. We think that there should
14 be someone referred to the Rules Committee. That
15 is right, we think if you referred members to the
16 Rules Committee because they inflated their
17 newsletter, and here we have some unconstitutional
18 activities and nothing, absolutely nothing. We
19 didn't think that is correct, members. So we do
20 think that more should be done.

21 Now, members, when the Judge says, intentional
22 secretive and unconstitutional, now, what is he
23 talking about? Secret drop boxes. What is the
24 need for secret drop boxes, you tell me. Secret
25 personal e-mails that have been deleted, thumb

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

140

1 drives, millions and millions of dollars to hide
2 what actually happened, and you want to know why we
3 don't trust these maps? You want to know why we
4 want to be at the table, just to have a say-so.

5 You spent millions and millions of dollars to

6 hide what has occurred and you don't think we have
7 the right to say, well, just invite us to the table
8 from the beginning and then we will be okay with
9 it. Absolutely not, and then thousands and
10 thousands of dollars to be up here, to be going
11 through this process.

12 Now, I read a little differently from what the
13 Judge said about the -- the e-mails. What I read
14 he wrote, there was no legal duty on the part of
15 the Legislature to preserve these records, but you
16 have to wonder why they didn't. Litigation over
17 these plans was a moral certainty. That doesn't
18 seem like to me the Judge has said it is just in
19 the course of business, or that it is okay. He
20 said everybody knew that there was going to be
21 litigation.

22 I think everybody in this Chamber knew it was
23 going to be litigated, and to erase all of the
24 e-mails, that is why we have a problem with
25 accepting these maps. That is why we want to be at

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

141

1 the table at the least. You know, we don't have
2 the benefit of all of your resources, but put us at
3 the table, let us be part of it, especially after a
4 scathing opinion like this.

5 Yes, members, we are a little concerned here,
6 but we would love to see everyone participate in
7 the process. Now, we are not at the table, but
8 this is what we would like to see. We want to see

9 this given back to the Judge. We want the Judge to
10 evaluate it, if the Judge has to re-write the maps
11 himself, or if this can the beginning of a process
12 where we have an independent body that may do this
13 without the unconstitutional violation.

14 We think that is the right way for the state
15 of Florida to go. Thank you, members.

16 SPEAKER WEATHERFORD: Representative Rodriguez
17 in debate.

18 REPRESENTATIVE RODRIQUEZ: Thank you,
19 Mr. Speaker. Along with Leader Thurston I rise
20 against this motion and against this -- this
21 particular map, and mostly for process reasons.

22 I have been asked like many of you maybe from
23 members back, members of my district back home,
24 members of the press, will fair districts be
25 implemented. And I think the sub text of that is,

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

142

1 will fair districts be implemented eventually. And
2 I am optimistic about that for reasons separate
3 from what we have seen here today.

4 And I think the reason for my optimism is that
5 because of the legal challenge which reviewed what
6 happened that got us here, and because of the last
7 few days I think many of us, and I think some
8 members of the public have been educated as to how
9 to do this process right and it hasn't been done
10 right. The reason for my optimism again is I feel
11 like we have learned a lot about what are those

12 things that could get us there and get us to comply
13 with fair districts in terms of how this process
14 should go.

15 I think the memorandum that was circulated on
16 August 5th, suggests some of those things, but
17 again, it is just a memorandum, it is not a
18 proposed statute, it is not a proposed House rule,
19 and it is presumably enforceable by some sort of
20 evidentiary sanction, but that is it, and that is
21 not anything more than we have right now.

22 In terms of how this is very different process
23 of drawing districts should be treated in the
24 Legislature, completely apart from any other type
25 of legislation that we do here or rulemaking, you

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

143

1 know, things like the identity of the person
2 involved in drawing the map, the criteria used, the
3 sources of data. Absolutely, perhaps we should
4 consider a rule that goes into all of that to
5 require that those things again be presented to us
6 under oath, and perhaps we should consider a rule
7 or a statute about recordkeeping. A memorandum
8 going out to everyone saying you should keep
9 records again is not enforceable in a way that we
10 really need it to be to make sure that we are
11 getting the best, A, the best out of it, and also
12 that these records are preserved so that we can
13 prove what happened in the event of a challenge.

14 And the other thing is, I think other members

15 have suggested hearings to investigate what is it
16 that happened in the past. What is it that we can
17 learn as a Legislature in terms of how to do this
18 correctly that we haven't done. Again, I don't
19 think that this map that we have before us meets
20 that challenge to fairly implement, to correctly
21 implement fair districts.

22 I think we can get there, so what gives me
23 optimism is that we continue to learn what we
24 should do, we haven't done it yet. Thank you.

25 SPEAKER WEATHERFORD: Representative Stewart,

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

†

144

1 in debate.

2 REPRESENTATIVE STEWART: Thank you. This has
3 been to me a very rushed debate and rushed mapping
4 process. I understand that we have tight
5 deadlines, but we have, we have had until Friday to
6 make this determination, and the first day we spent
7 16 minutes, we have been here for four hours today.

8 I think we owe our constituents a longer
9 review, a consideration and to pass a
10 constitutional map. I don't really think we want a
11 Judge to redraw the maps. I think that is
12 something that we should be doing. I have heard
13 objections from the Supervisor of Elections. Who
14 is going to pay for these elections? The map in
15 front of us has seven Congressional Districts
16 spanning dozens of counties.

17 The amendment proposed by Leader Thurston and

18 Senator Soto, they show that they were able to do
19 it in -- with only having three counties. In
20 addition to the taxpayers' money that we are
21 wasting here today on our rush to judgment on a
22 map, I think that in doing the special session, the
23 cost to the local taxpayers with there map is going
24 to be millions and millions of dollars, and I think
25 that is something we should really take to heart

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

145

1 and pay attention to.

2 If the Judge has to redraw this map, the
3 Supervisors will probably have less time to get
4 ready to have this election, and it is just doesn't
5 seem fair to me. We are asking the voters of the
6 state, including my constituents and yours, to vote
7 in districts that have been exposed to
8 unconstitutional mapping. This is not about
9 rushing, this should be more about democracy, and I
10 thank you for the time.

11 SPEAKER WEATHERFORD: Representative Slosberg,
12 in debate.

13 REPRESENTATIVE SLOSBERG: Thank you,
14 Mr. Speaker. Members, we are called here today for
15 fair districts. Does fair districts mean fair to
16 Republicans, or does fair districts mean fair to
17 Democrats, or does fair districts mean fair to
18 Floridians?

19 We all know we are supposed to be fair to all
20 Floridians. So how much input did the Democrats

21 have in drawing these maps? I was told in
22 questions and answers that, I don't know what I was
23 told, but I wasn't told yes, I wasn't told no, but
24 like in reality, we know the Democrats had zero
25 input in the people who they represent, and it is

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

†

146

1 probably 50 percent or more of the people in the
2 state of Florida.

3 I was told this Bill is like a committee
4 process. If so, why didn't staff and why didn't
5 the attorneys and why didn't the Chairs come to the
6 Democrats and say, hey, guys, let's sit down and
7 let's figure out a way to draw these maps so they
8 will be fair to the people of the state of Florida?

9 You know, how are you -- how am I sure that
10 this isn't a Democratic bill, this is a Republican
11 Bill, and do you know why I am sure it is a
12 Republican Bill, because not one question was asked
13 by the Republicans to the Chair, not one question.

14 Do you know why? Because of the fact they
15 were all told, be sheep, don't ask any questions,
16 and it is exactly what happened here.

17 In closing, a lion does not lose sleep over
18 what a sheep thinks. Please give this map back to
19 the Judge and let him figure out what is fair to
20 Floridians, because this is not a fair map.

21 SPEAKER WEATHERFORD: Representative
22 Zimmermann, in debate.

23 REPRESENTATIVE ZIMMERMANN: Thank you,

24 Mr. speaker. I am opposed to this Bill and the
25 maps that it contains within, because I am truly

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

147

1 offended that we were not included, that the
2 minority party was not included prior to these maps
3 being drawn.

4 These maps were drawn, they were e-mailed to
5 everyone of us before, the day before the committee
6 ever met. I mean, imagine if you were in a divorce
7 court and one side got to draw up the settlement
8 before the other side was ever allowed to say a
9 word, and then the only conversation that they
10 could have is, and they would be outnumbered, by
11 the way, is do you agree, and that is it.

12 I am also opposed because until, until we
13 adopt a process that is a grid like process where
14 the squares are only governed by the size of the
15 population, and that grid is laid over the state of
16 Florida, until we do that, every district will
17 always be gerrymandered.

18 I ask the Chair, I said, did you look at the
19 party affiliation when you were doing these maps
20 and I trust that he didn't, but that is the first
21 thing that every member of this body looks at, is
22 how many Democrats are there, how many Republicans
23 are there, and that will always gerrymander a
24 district. So I ask that we oppose this Bill.

25 SPEAKER WEATHERFORD: Representative Castor

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491
Page 133

1 Dentel in debate.

2 REPRESENTATIVE CASTOR DENTEL: Thank you,
3 Mr. Speaker. And members, we have been assured
4 today that the process of redrawing the districts
5 was above board, and I really want to believe it,
6 but the same assurances were given two years ago.
7 And we are only to find out through a legal
8 challenge that the process was indeed rigged.

9 Such behind the scenes collusion violated the
10 Constitution, as well as the public's trust, and
11 makes the voters even more cynical about the people
12 who are elected to this body. Nothing really
13 changed in this process this time around which
14 would restore the integrity called into the first
15 time around. There was in good faith effort to
16 involve substantive participation for the minority
17 party in redrawing the maps.

18 Members, the process matters. The people of
19 Florida deserve a process that is fair and properly
20 executed. The cost to the taxpayers for this
21 special session is about \$68,000, but the cost to
22 the citizens and the degree of trust they have lost
23 in us is immeasurable and I can't help but remain
24 cynical as well.

25 SPEAKER WEATHERFORD: Representative Lee in

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

1 debate.

2 REPRESENTATIVE LEE: Thank you, Mr. Speaker.
3 Mr. Speaker and members, I want to share a story
4 with you. I had all but made my mind up that I
5 didn't want to come back to this House. I came in
6 Tallahassee because I really and truly believed in
7 my heart that I could make a difference in pulling
8 this body together, both Democrat and Republican,
9 Conservative and Liberal. And I talked it some of
10 you, and I won't call names, from both sides, and a
11 couple of you on the Republican side convinced me,
12 and I won't call any out, because you are not
13 supposed to be encouraging a Democrat to run, but I
14 said I am going to come back and try and make a
15 difference.

16 George Washington said in 1796, he warned in
17 his farewell address to the nation the dangers of
18 political parties. We are seeing it here, not just
19 here in this house, but in houses all over the
20 country and in our nation's Capitol.

21 Saturday morning at 3:00 a.m. I awakened
22 because I couldn't sleep thinking about what we are
23 doing here, and something told me, I don't know
24 where it was, but it just came to me, study the
25 Roman Empire and what caused the Roman Empire to

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

150

1 fail.

2 Friends, we are following that same path, and
3 I asked myself, can I, or can any of us do anything
4 about it. Can we stop this train wreck, and all

5 Saturday I thought about how can we come together
6 as a body. How can we come together as a people.
7 This country is so torn apart, we get, we dig in on
8 the right, we dig in on the left and nobody wants
9 to budge.

10 I wake up Sunday morning, and I really believe
11 God was telling me something. My favorite, one of
12 my favorite radio, television Pastors is a guy by
13 the name of Charles Stanley, and something came to
14 me and said, turn the television on and see if you
15 can find Stanley, low and behold, there was Charles
16 Stanley, and the message was, opportunities, look
17 for opportunities to do something good.

18 He was telling a story about the Good
19 Samaritan, and I thought about that for a second
20 and I thought about what we are doing here. We
21 have missed an opportunity. I was talking earlier
22 today to my good friend, John Tobi a and Matt Gaetz.
23 I was sitting in the cafeteria just before I was to
24 present my Literacy Bill, which all of you
25 supported and I thank you.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

151

1 Tobi a and Gaetz said, Lee, we are not going to
2 support your Bill. I said why, and Matt had a very
3 good, Representative Gaetz had a very good coming.
4 He said, you know, Escambia County has a higher
5 dropout rate than St. Lucie County. And so I could
6 have said the heck with you, John, the heck with
7 you, Matt, I got the votes, but I didn't. And when

8 I rose that day I reached out to those two brothers
9 and I pleaded with them, I showed them respect and
10 they voted for my Bill. That is what we need to do
11 more of in this House.

12 Sometimes I am in the cafeteria and we sit
13 there, Democrats and Republicans alike, and we
14 laugh and we joke and I am reminded of a story that
15 Representative Taylor and I was sitting this
16 morning, he was telling me about the coyote and the
17 sheep dog, and every morning the coyote and the
18 sheep dog packed their lunch box and they walked to
19 work together, smiling and talking about their day.

20 The sheep dog gets up in the tree to watch
21 over the sheep, and the coyote prepares to chase
22 the sheep, and they do their thing. At the end of
23 the day they pack their lunch and they walk back
24 home as though that day never took place. That is
25 what I see happen here many times.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

152

1 Members, I don't know what we can do about
2 what has been done, but I plead with you, let us
3 start looking for opportunities to make this body a
4 better body, this state a better state and this
5 nation a better nation. Thank you, Mr. Speaker.

6 SPEAKER WEATHERFORD: Representative Berman.
7 Yes.

8 REPRESENTATIVE BERMAN: Thank you,
9 Mr. Speaker. Members, let's be real clear about
10 why we are here today. We are here because the

11 Leon County Circuit Court found that this
12 Republican dominated Legislature acted in an
13 unconstitutional manner in preparing the maps.

14 This is a serious matter. It is not simply a
15 minor administrative fix for two districts. Given
16 this background I am not convinced that the map
17 before the Legislature actually redresses the
18 unconstitutional actions. We have a map that taken
19 at the drafter's words was put together over two
20 days by some of the same individuals that drafted
21 the first map.

22 No Democrats were consulted or asked to
23 participate in the process, which to me raises a
24 red flag as to the map's partisanship. Yes,
25 Democrats had the opportunity to question it in

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

153

1 committee and on the floor, but it was pretty
2 clearly fait accompli. Because of the short time
3 frame one committee hearing was held which resulted
4 in almost non-existent public input.

5 Significantly, at that committee the
6 Republican committee members voted down a motion to
7 place the witnesses under oath which denied the
8 citizens of Florida accountability. Interestingly,
9 in committee an alternative map was presented by
10 Leader Thurston and Senator Darren Soto. Senator
11 Soto was constrained by the time frame, but even
12 more significantly, he didn't have access to the
13 tools and various analysis that the legislative

14 committee had.

15 Using his limited resources he crafted what I
16 believe is a preferable map. His map only changes
17 three Congressional Districts as opposed to seven.
18 I believe that his map would pass the diminishment
19 test even though there was a strange argument made
20 using Senatorial maps that it wouldn't.

21 If you look at his map, well over 60 percent
22 of the primary voters are African-American and the
23 district, itself, votes strongly Democratic. The
24 fact that one Senator diligently working solo could
25 do what I consider a better map begs the question.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

154

1 Is Senate Bill 2-A really the best map that we can
2 submit to the Court?

3 Is this map simply the legislators' attempt to
4 put a bandaid on a gaping wound once again and
5 act in a partisan manner to protect Republican
6 districts?

7 I sat in this Chamber in 2012, and was
8 repeatedly told that the maps were the most
9 transparent and open ever and that they complied
10 with all constitutional requirements. A lawsuit
11 was filed challenging that assertion, and yes, it
12 dragged on for almost two years, in part because of
13 attempts to keep secret those documents that
14 ultimately showed the unconstitutional actions.

15 I feel that I was lied to. The citizens of
16 Florida were lied to, and we need to address this

17 wrong. I am not comfortable that map, the Senate
18 map does redress this wrong and will be voting no.

19 SPEAKER WEATHERFORD: Representative Saunders.

20 REPRESENTATIVE SAUNDERS: Thank you,
21 Mr. Speaker. Mr. Speaker, I will just rise in
22 opposition to this Bill for a few reasons, but one
23 specific one.

24 Preserving the rights of voters in District 5
25 to elect a vote, a candidate of their choice,

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

155

‡

1 preserving the rights of African-American and black
2 voters in that district to represent somebody that
3 represents them should not come at the expense of
4 Hispanic districts, Hispanic voters in
5 Congressional District 9.

6 This map as was handed to us shifts away from
7 the ability of Hispanic voters in my area in
8 Osceola County to build up political power, to
9 build up political support to one day represent
10 somebody that really speaks to them in their
11 community and I think that is a wrong. I think
12 there is a different way to draw this.

13 So for that reason and many others I stand in
14 opposition to this Bill.

15 SPEAKER WEATHERFORD: Representative Danish,
16 in debate.

17 REPRESENTATIVE DANISH: Thank you,
18 Mr. Speaker. What we have done in this process is
19 try to fix a broken leg by using a bandaid. As I

20 have learned by working with maps in the last
21 couple of weeks, that if you make a slight change,
22 move a few precincts it will have a small impact.
23 Move enough and you can change the entire dynamics
24 of a district.

25 However, in this case this was not done.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

156

1 Could we take a look at this and say since we did
2 so little of changes that we have actually
3 succeeded in making incumbent protection and that
4 one of the things that has to be looked at at this.

5 In addition I hope we learn from this and from
6 what was done two years ago that maybe we need to
7 in the future by the year 2022, find a better way
8 to do this more transparently and more successfully
9 without having maps that everyone is going to argue
10 about constantly. Thank you.

11 SPEAKER WEATHERFORD: Representative Rangel in
12 debate.

13 REPRESENTATIVE RANGEL: Thank you,
14 Mr. Speaker. We were brought here in the special
15 session, we are spending taxpayers' money in order
16 to redraw district lines that were
17 unconstitutional.

18 I think now we are seeing that we are not
19 going to make these districts effective until the
20 next election. So now we are knowingly allowing
21 voters to vote for districts that are
22 unconstitutional.

23 Lastly we are trying to fix a couple of
24 districts and diminishing other districts like
25 District 9. We are taking away Hispanic voters

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

157

1 from being able to properly being represented in
2 District 9 here in central Florida, and for this
3 reason I can't support this Bill. Thank you.

4 SPEAKER WEATHERFORD: Representative Gwyn
5 Clarke-Reed in debate. Representative Clarke-Reed
6 in debate from Representative Reed's desk.

7 REPRESENTATIVE CLARKE-REED: Thank you,
8 Mr. Speaker. Members, while the Judge specified
9 Districts 5 and 10 were unconstitutional he also
10 understood that moving lines moved people, and that
11 it would have a rippling effect to the surrounding
12 districts.

13 The map that is being presented does not
14 satisfy the needs, satisfy what needs to be done in
15 my opinion. The Order of the Judge has not been
16 satisfied. No inclusion of the minority party in
17 the efforts is not how this was supposed to happen.
18 Memos were sent with various directives, but none
19 were sent outlining the minority party's input into
20 this map.

21 I am also concerned that public input was
22 limited or non-existent. You thought it was
23 important to have the public in the initial
24 drawing, why wasn't it important now? Having
25 dressed one map doesn't allow the Judge to see

♀

1 other views of what is possible to solve this
2 issue. Thank you.

3 SPEAKER WEATHERFORD: Representative Stark in
4 debate.

5 REPRESENTATIVE STARK: Thank you, Mr. Speaker.
6 Representative Corcoran, I would like to thank
7 you for your intestinal fortitude today. I give
8 you credit for that.

9 As an old time Poly-Si major, reapportionment
10 and studying it was always a very interesting
11 topic, and, of course, the old days are just not
12 there anymore. The public, we have more and more
13 Independents today. We are constantly hearing that
14 they want the reapportionment process to be fair,
15 and not to be skewed, and I realize that there has
16 been some effort to do that, but after really
17 looking at the entire process and then as we were
18 getting close and I listened to Representative
19 Waldman's synopsis of the situation, I have to
20 agree with him.

21 I read what the Judge said as well and I am
22 very concerned that we are doing may not be
23 Constitutional at all. So for that reason I am
24 rising in opposition to this. I am a small
25 businessman. I certainly would are like to be home

♀

1 running my business and not be doing this, but if
2 we are going to make a quick fix we are just going
3 to be revisiting this again, and like I said, I am
4 voting down on this. Thank you.

5 SPEAKER WEATHERFORD: Representative Torres,
6 in debate.

7 REPRESENTATIVE TORRES: Thank you,
8 Mr. Speaker. I rise in opposition. Make no
9 mistake, Judge Terry Lewis gave us a task to draw a
10 map. We heard today how this map was drawn without
11 our input. I hope Judge Lewis throws this map out,
12 vote no.

13 SPEAKER WEATHERFORD: Representative Pafford
14 in debate.

15 REPRESENTATIVE PAFFORD: Thank you,
16 Mr. Speaker. For those of you who were not here on
17 February 3rd, 2012, then Speaker Cannon took time
18 to ridicule selected members in this Chamber who
19 made the, and I quote, the not so subtle
20 insinuation, frankly, being that there was no way
21 that the Republican majority in this House would
22 follow the law.

23 Then he smiled and he said he was proud to say
24 that those members were wrong. I took that rather
25 personally. I think it is interesting now that the

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

160

1 only person that was wrong was our Former Speaker,
2 Dean Cannon, because we are here today to address

3 an issue, an issue that the minority in this
4 Chamber feels it is very, very important.

5 I, too, was a legislative assistant many years
6 ago in this House, and what is very, very important
7 to understand, the minority leans on this House to
8 maintain a presence, and when that is denied you
9 have a minority in this House who continues to be
10 disenfranchised as we are today.

11 What occurred over the last number of days,
12 and I don't believe by the way this is Chair
13 Corcoran's problem, I think there is a much, much
14 greater problem that occurred outside of these
15 walls, and it goes back to some of the operatives.
16 It goes back to many, many people we don't hear
17 about.

18 And these people grab our ear and they
19 basically try to make their, their issues happen.
20 And what doesn't happen in the public spotlight
21 that we have right now, it is like an iceberg,
22 75 percent of what goes on happens outside of what
23 we see as a public process. And for that reason
24 alone we have spent four days, five days denying an
25 ability to have a part in a process that a Judge

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

161

1 basically said was wrong, that ultimately provided
2 an unconstitutional map for people to vote in
3 Congressional Districts.

4 We heard about a process where apparently we
5 didn't check with the Department of Justice, nor

6 did we check with the Division of Elections,
7 because perhaps they would have checked with the
8 Department of Justice, and then today on the floor
9 we have a Senate version that is a little
10 different, but it does sound to me like there may
11 be a problem in terms of what the Judge asked for
12 and what this Chamber is going to provide in a
13 matter of 25 minutes.

14 This 25 minutes could have been on day one,
15 because the map that was dropped in the Senate on
16 August 5th, really was a shell Bill. Perhaps there
17 is a pun there with the use of the word shell, and
18 we sit here today basically having done nothing,
19 most of the members in this Chamber, but pass
20 another map that I feel the Judge is going to kick
21 out, and it is really a shame that we have not
22 taken the time to do this.

23 I don't believe anybody in the back row has
24 received an invitation to any type of meeting that
25 occurred while we developed these maps, and that is

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

162

1 really unfortunate, and we are ready, we are
2 capable to be part of a process, but when you drop
3 a Bill on a Friday and do nothing over a weekend
4 when you know very, very well that there is more
5 that can be done, this was a dog and pony show.
6 And unfortunately that is what we are going to send
7 back to the Judge on Friday. So I apologize for
8 being so blunt, but after a number of years in this

9 process you really hope for a day and a time where
10 as Representative Lee said, we will be able to have
11 a position at the table and work with many of my
12 friends in the front rows to develop policy that is
13 really good for Florida. Thank you, Mr. Speaker.

14 SPEAKER WEATHERFORD: Representative Waldman
15 in debate.

16 REPRESENTATIVE WALDMAN: Thank you,
17 Mr. Speaker. And just so everybody knows, the good
18 news, the good news is I am the last speaker. So
19 we are actually, the bad news is I still have got
20 23 and-a-half minutes left to go. So, you know, I
21 was complaining it Representative Thurston I wasn't
22 going to have enough time and I think the longest
23 the I ever spoke was my farewell speech, and what I
24 did is I decide since I still have enough time for
25 this after I am going to do the farewell speech

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

163

1 also if I can, if I can do that, but I will yield
2 some to Patronis so he can also participate in
3 this.

4 My hope is, of course, that actually that I
5 don't have to come back here for another farewell
6 speech, but I am actually very fearful that that in
7 fact might be an option, because I don't think that
8 this map is legally constitutional.

9 I think that there will be a challenge,
10 whether or not we come back is of course up to the
11 Judge and we will see, and I hope, of course, he

12 doesn't do that. I hope he decides to do it or at
13 least have an impartial panel do it.

14 Because the fact is that this map has been
15 tainted from the beginning. The map was, as we all
16 know now and what the Judge ruled, was drawn to
17 favor Republicans. Interestingly, for those who
18 weren't here back then when the maps were drawn, in
19 fact, Representative Thurston, Leader Thurston was
20 supposed to be the Ranking Member for
21 Reapportionment for the Democrats and everybody
22 talked about it, everybody knew that that is what
23 it was going to be, and then lo and behold Speaker
24 Cannon chose not to appoint him, citing a
25 technicality that he didn't know that Leader

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

164

1 Thurston was interested in being on that
2 Reapportionment Committee. So it is kind of
3 suspect right from the beginning.

4 That being said I will tell you this. And I
5 know that the Judge in this case, Judge Lewis spent
6 long time talking about intent, and what is it.
7 How do you define it? I have to say, and I will
8 say it, I would say it if I were called to court in
9 the future. I don't think that Representative
10 Corcoran's intent was drawn to favor or disfavor
11 any party. I don't, I don't think you personally
12 did that, and nor do I think that Senator Galvano
13 did. I don't question the staff today, I don't
14 question ours, I don't question theirs.

15 I think that, I think you guys probably did a
16 pretty good job of complying with what the Court
17 said you should have done for redistricting, but
18 that being said you still came up with a bad map.
19 I mean, that is the reality.

20 And the reality is you couldn't help it, you
21 couldn't help come up with a bad map, because all
22 you did was try to fix a couple of pieces that you
23 thought is what the Judge said. But the Judge
24 actually went beyond just those appendages and all.
25 He talked about the weird shapes, he talked about

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

†

165

1 CD 5 and how it just meandered and what it did.
2 That is the problem. You didn't fix that. You
3 widened it, I mean, you made it much bigger in the
4 middle.

5 So maybe to you it looks much more optically
6 pleasant, but you still have that part that goes up
7 right in the beginning, right up at the top that
8 still makes it go all the way from, from the top of
9 Florida down to the middle of Florida. So you
10 didn't fix that. So that is, that is a problem
11 that you have.

12 You talked a lot about how, hey, this is
13 better, this one is better, you know, the Court
14 said that he liked 9043. In fact, I asked you at,
15 when we were talking about questions, I said, hey,
16 let me, refer me to those sections that you are
17 talking about that the Court says that are so

18 wonderful on 9043, and for those who weren't paying
19 attention that much, the 9043 was what the House
20 had proposed to the Senate, which was and we
21 acknowledge, was better than what ultimately got
22 passed and what the Senate had.

23 But the Judge, he didn't like that, he didn't
24 think it was great. In fact, he says the problems
25 that I find in Districts 5 and 10 were not present

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

166

1 and then he goes on, at least to the same degree in
2 the House version. So said it was still bad in
3 9043, but not as bad as them over there. So he
4 didn't praise it in this, so we shouldn't be
5 looking at that as a benchmark that that is so
6 wonderful what we did here, 9043.

7 And I know we talk about the legal opinions
8 here, we talk about, we should be listening to
9 House counsel when House counsel tells us how to
10 handle things. Well, as you will recall, those are
11 same House counsel who told us that what we passed
12 back in 2012, were legally valid or constitutional.
13 So why are we going to place so much trust in what
14 legal counsel has to say today about what an
15 interpretation of the law is.

16 We have to question the BVAP, the black voting
17 age population. In fact, just so everybody knows,
18 I didn't know any of this stuff until last week
19 until finally he told me I had to come back to work
20 and so I decided, okay, I will read some of this

21 stuff, but I didn't even participate in any of this
22 redistricting when it was going on.

23 And so I learned about this. Well, all of the
24 analysis that Mr. Meros is talking about and that
25 you talked about, Representative Corcoran, today

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

†

167

1 about the diminution and all of that, that is
2 absent in the opinion. There is no determination
3 in that opinion as to what is actually a definition
4 of the diminution such that it would be
5 unconstitutional.

6 So we can't be sitting here and saying, oh,
7 this is bad, that the Soto/Thurston thing is not as
8 good as what you have. We don't know and we
9 shouldn't be looking at that.

10 Next I have a feeling that of course I talked
11 to you about I think that your amendment today that
12 was on or take up the Senate Bill with the
13 amendment is beyond the call. That being said, I
14 think it is improper. I think it is in direct
15 violation of what the Judge's Order is and I think
16 we have an obligation to legally comply with what
17 the Judge's Order is.

18 There is no question that this map is better
19 than what was passed out of this House before. I
20 would grant you that. It corrects a bunch of the
21 problems. But a long time my father told me the
22 story about this guy, this guy who passed away, and
23 he was a miserable guy.

24 He was, he was a guy who beat his wife, he
25 beat his kids, he was terrible, he cheated

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

168

1 everybody in business. He did whatever he could do
2 to have an advantage over somebody else, and
3 everybody hated him. He was just terrible, there
4 was nothing good about him. So one day, one day he
5 dies and they go and they go to the funeral and, of
6 course, to the eulogy and so the -- I don't want to
7 say whether it was a priest or a rabbi, but I don't
8 remember exactly whether he was a Jewish or whether
9 he was a Christian.

10 So whatever it was, but asked, is there
11 anybody here who, who would like to give the eulogy
12 for this man, and there is dead silence, nobody,
13 nobody is getting up. Finally my father told me
14 about this, somebody he knew went over and figured,
15 you know, somebody has got to eulogize this guy, it
16 is just not right, you can't pass away and be
17 buried and not have a eulogy.

18 So the guy et cetera up there and he looks out
19 at everybody and he is just trying to think what in
20 the world he can say about this miserable human
21 being. And he gets up and he says, well, he was
22 better than his brother. So that being said, that
23 being said, though this is better than his brother,
24 listen, it is not, it is not what we should be
25 doing. We really ought to be doing what is proper

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491
Page 152

1 and what is in compliance with the Fair Districts
2 Amendment. I urge you to vote this down and with
3 that we have no more debate on this side. Thank
4 you.

5 SPEAKER WEATHERFORD: Further debate? Further
6 debate? Seeing none, Representative Corcoran, you
7 are recognized to close.

8 CHAIRMAN CORCORAN: Thank you, Mr. Speaker.
9 It is an emotional issue obviously, but I do want
10 to take just a moment in time. I appreciate
11 Representative Waldman's close and having a little
12 joke at the end, to bring back up a little levity
13 into the floor during some of this debate.

14 I will tell you it is out of levity, the irony
15 of this case is that back when I had two knees that
16 worked a few years back I would regularly play
17 basketball with Judge Lewis. He plays in the
18 morning basketball league, so do other members here
19 who played in that league right across the street
20 at the Baptist Church, and Judge Lewis is a
21 regular.

22 And when I read the opinion and I saw what he
23 had written and I was thinking about the time that
24 I played basketball with him and to anyone here or
25 anyone who does play with Judge Lewis, he really

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

1 does have an excellent 17-foot jump shot, but if he
Page 153

2 is covering you, what we all know about Judge Lewis
3 is he fouls like crazy.

4 So I thought the irony of him telling us our
5 map was foul was interesting, and Judge, if you are
6 listening, I say that in gest just because --

7 SPEAKER WEATHERFORD: We love you, Judge, we
8 love you. If you are listening.

9 CHAIRMAN CORCORAN: As the Speaker of the
10 Senate President said, Judge Lewis, he was
11 extremely deliberative. He was, handled the case
12 in a thorough manner, and to the fact that we
13 didn't even appeal his decision I think says what
14 we really think about Judge Lewis, but I just
15 wanted to give you a little levity.

16 As to your comments about the process, you
17 guys had some great comments and I appreciate it, I
18 really do.

19 But I want to, just again, a little history.
20 As I grew up in this process. I graduated from
21 college and pretty much came to work here, somehow,
22 some way over my entire life I have been affiliated
23 with the process. When I came to work here as a
24 staffer in the Minority Office I don't happen to
25 remember the number, but it was 42 or less or so,

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

171

1 and in fact it was less, because we didn't have
2 two-thirds. So I understand what you guys are
3 saying.

4 In fact, even as another historical vantage
Page 154

5 point, the members' lounge, I appreciate it,
6 Representative Lee, you mentioning it, but that
7 members' lounge, the reason that members' lounge
8 exists in part, I don't take any credit away from
9 my boss, was I grew up in a minority party and I
10 grew up as you guys sometimes feel disenfranchised,
11 not included, and so when I was Chief of Staff to
12 the incoming Speaker, new Senator Rubio, I strongly
13 suggested in a conversation with him that we ought
14 to have instead of members going out across the
15 street and eating with lobbyists or just amongst
16 themselves, what we ought to do is try to have a
17 lounge in this Chamber where Democrats and
18 Republicans can break bread and get to know how
19 many kids you have and understand each other in a
20 much more meaningful level than it currently
21 exists.

22 So the lounge that you are referencing, that
23 is the history of that lounge. And again, taking
24 no credit from Senator Rubio, I didn't take any
25 criticism for that, but I can tell you if you go

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

172

1 back and Google that lounge and read the articles
2 that were written when we were, that was the noble
3 goal we were trying to achieve to your point and
4 the articles, one after the other, they called it
5 and we have all eaten in that lounge. They called
6 it a fancy banquet hall. We were spending money to
7 build a fancy banquet hall and you have eaten in

8 that lounge, and I think all of this in this whole
9 Chamber, Republican and Democrat alike, would say
10 that lounge affords a tremendous opportunity for --
11 for emboldening the relationships and helping us
12 all understand, not only our districts, our
13 parties, our philosophy in a much more greater
14 level that serves the people of Florida very well.

15 The other thing I would say to that is
16 sometimes when we get into debate, and this is an
17 emotional issue, but some of your debate, and I
18 mean this in the best of terms and I have to guard
19 myself like we all do, but to the extent that you
20 stand on this floor and you impugn a personal
21 individual member's character, or you impugn
22 somehow what at the did or what they didn't do
23 without having the requisite knowledge that you
24 would have to have, I would say what we are doing
25 when we do that in these debates is we are not only

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

173

1 degrading this institution of the House of
2 Representatives, but we are degrading the entire
3 legislative body.

4 And I -- there is no promise of a future which
5 I was unopposed so I, health being an issue,
6 hopefully not, I will serve out my next two years.
7 After that there is no guarantee that I will be a
8 Presiding Officer or have a, Mr. Speaker, can I --
9 I did not know that I was on a clock, but thank you
10 for that, I appreciate the graciousness.

Page 156

11 SPEAKER WEATHERFORD: Representative Waldman,
12 I will be the judge of that.

13 CHAIRMAN CORCORAN: Thank y'all, but anyway,
14 when you do that, but it not only lifts up the
15 volume of this institution, but it degrades it.
16 And so to the extent that I do come back and if I
17 am honored by the voters of my district and I am
18 able to be a Speaker of this wonderful Chamber, I
19 would tell certainly to the members of my
20 conference and I would encourage the members of the
21 entire body to guard yourself in your -- in your
22 rhetoric.

23 I get it there are emotional issues, but some
24 of the stuff that is said is just, it is unbecoming
25 to the institution.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

174

1 The next thing I wanted to say was that it was
2 said that it is a Republican map, and I can tell
3 you that is not the case. This is a map that
4 legally to Representative Waldman's point, complies
5 with the law. It complies with the Florida
6 Constitution, it complies with the Florida Voters
7 Rights Act and it complies specifically to the
8 Judge's Order in addressing those issues.

9 And in that context I want to say, thinking
10 about it, so if a Republican map, which it is not,
11 but if a Republican map is one where all of the
12 metrics are better than the plan where 25 of 27
13 districts were found constitutional and even in

14 those two districts all of the metrics, both visual
15 compactness and on the two tests the Court looked
16 at, ours is much better. If it is A republican map
17 and we maintain a 48.03 BVAP which the Court has
18 said a 48.03 BVAP is not retrogression, if that is
19 a Republican map then I am proudly, if that is your
20 definition, we are guilty, but that map complies
21 with the law.

22 And I will tell you, understand that law and
23 that history. Our counsel in that opening meeting
24 gave a tremendous speech. We still, we still in
25 Florida in 2014, the richest most prosperous

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

175

1 country in the world, we still live in a state
2 where you have entire districts and counties,
3 Alachua County, not a single County Commissioner in
4 Alachua County, an African-American County
5 Commissioner has of been elected. In Marion County
6 since reconstruction, no County Commissioner has
7 been elected African-American in Marion County.

8 And we have the testimony about why the north
9 south. The reason it goes north/south and the
10 testimony from the experts who testified in this
11 case talked about the migratory patterns of people
12 who were victims of atrocious racism, and that is
13 the lines they went. And some of the phrases that
14 we use all of the time in our vernacular, I learned
15 this week stem from the racism that existed in this
16 country historically.

17 When we say, he lives down by the river in a
18 derogatory context, that is a racist context, that
19 is why we have all of those people, the
20 African-Americans who lived along the St. Johns
21 River, they had to because of racism. When we say
22 they live on the other side of the tracks, again,
23 it is the migratory patterns that were testified by
24 an expert that said these are the migratory
25 patterns and they had to live on the other side of

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

176

1 the tracks, and that is why that district is
2 compact and they are communities of interest that
3 go north to south.

4 But if that is Republican map I am proudly and
5 utterly guilty of doing or creating and being a
6 part of a process of a map that is created to
7 rectify that and protect that that doesn't happen
8 moving forward.

9 The other thing I would like to say is that if
10 you look at all of the metrics on this map, and I
11 have talked about it, but the one this was thrown
12 out again on the visual compactness and on the
13 test, in five of the seven districts we changed we
14 were better in visual compactness in all seven, and
15 in five of the seven on both of those tests the
16 Court looked at.

17 On the BVAP, again, our BVAP was better than
18 the map and the language I kept using and I will be
19 even more careful with my words, is spoken of in a

20 more favorable light in reference to 9043. He
21 spoke of that in a favorable light and clearly said
22 it didn't retrogress, and ours is 48.11, theirs was
23 48.03. So in all of the metrics it has gotten
24 better.

25 On every level we have complied with the

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

‡

177

1 Judge's Order. We have complied with the
2 Constitution and we have complied with Federal law
3 and I can tell you, members, I couldn't be more
4 proud. This is a a terrific map. It is a legal
5 map and I have no doubts that it will be found
6 Constitutional.

7 And before I close I would be remiss if I
8 didn't say when it comes to this process I think
9 that the process was fair. Whether it was staff
10 reaching out to the minority members or whether it
11 was me reaching out to the minority members,
12 whether it was staff working with Representative
13 Danish, staff working with Senator Soto, staff
14 working with individuals of you who had questions
15 and set up meetings, our Chief of Staff reaching
16 out to your Chief of Staff and saying, what else
17 can we do for you. On every level we addressed the
18 ability of you guys to have a part in this process.

19 And I would like to say, last thing, in
20 defense our staff, I think we have a tremendous
21 staff and it bears reading because a lot of you
22 might not have read the Order, but I do want you to

Page 160

23 know what Judge Lewis said about the staff that
24 helped us in this map.

25 The most compelling evidence in support of the

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

178

♀

1 contention of the Democrats which is the
2 Legislature is the testimony of the staff members
3 who did the bulk of the actual map drawing for the
4 the Legislature. I had the ability to judge the
5 demeanor of Alex Kelly, John Guthrie and Jason
6 Preda at trial and found each of them to be frank,
7 straightforward and credible. I conclude that they
8 were not part of the conspiracy nor directly aware
9 of it, and that significant efforts were made by
10 them and their bosses, Speaker Weatherford, to
11 insulate them from direct partisan influence. I
12 accept that their motivation in drawing draft maps
13 for consideration of the Legislature was to produce
14 a final map which would comply with all of the
15 requirements of the Fair Districts Amendment as
16 their superiors had directed them.

17 And I will just echo Judge Lewis, the map that
18 is before you and the staff that was involved and
19 the process that was involved, I echo, they did
20 everything in compliance with the law, the
21 Constitution, the Voters Right Act. It is a great
22 map, members, and I encourage you to vote for it.
23 Thank you.

24 SPEAKER WEATHERFORD: Okay, members, the
25 question now occurs in final passage for SB 2-A.

♀

1 The Clerk will unlock the machine and the members
2 will proceed to vote.

3 Have all members voted? Have all members
4 voted? The Clerk will lock the machine and
5 announce the vote.

6 READING CLERK: Seventy-one yeas, 38 nays,
7 Mr. Speaker.

8 SPEAKER WEATHERFORD: The Bill passes.
9 Members, if I could, just for a second, Chair
10 Corcoran, I want to thank you for your efforts.
11 Many of you did not know this, but the same day
12 that we got the order to come back into special
13 session I was actually literally laying on a chair
14 at my dentist office having my wisdom teeth about
15 to be yanked out.

16 And so I literally jumped out of the chair and
17 I got on the phone and I talked to my Chief of
18 Staff and said, what does this mean, and she
19 explained it to me very quickly, I was literally
20 about it go under anesthesia and I called Chair
21 Corcoran and I said, I am about it go under
22 anesthesia. He didn't ask why, but I am going to
23 be out of of capacity for about 24 hours, but we
24 are probably going to have to go back into special
25 session and I know that I can count on you to carry

♀

1 the torch, and I also know that this is not a job
2 that anyone wants.

3 He has probably watched what many people
4 before him like myself have gone through. It is
5 not easy, but for him within three days to get up
6 it speed on this process, to present a map, to
7 spend time with the membership, to spend time with
8 our staff, to understand the legal implications of
9 everything we are doing is an amazing feat, and
10 whether you vote for this map or not I just want
11 you to know, we are all proud of the efforts that
12 you have done for this House. Thank you very much,
13 Chairman Corcoran.

14 I also want to thank our staff, particularly
15 Jason Preda, Dan Dorby, our counsel, George Meros
16 and Andy Bardos, who worked diligently to make
17 sure, this is a lot of work to do in a very short
18 period of time. Frankly it is unprecedented from
19 us to come into special session in that manner.

20 I want to thank the members of the Minority
21 Caucus for holding us accountable, for asking good
22 thoughtful questions and engaging with us in
23 debate.

24 Lastly I will just say my dad told me a long
25 time ago that if you don't do something right the

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

181

1 first time you just try harder and do it right the
2 next time, and I believe that we have done that

3 today. I thought that the next time I would be
4 standing in this chair would be handing a Gavel
5 over to a person who I believe is going to be a
6 tremendous Speaker and I am very much looking
7 forward to that day in just about three months from
8 now, Speaker Crisafulli, looking forward to it, but
9 we have all given away our going away speeches, and
10 Jimmy, you are not going to get another one, but I
11 will just wrap up our session and then call Senate
12 President Gaetz as we sine die and say that a
13 famous person once had a quote and he said that
14 faith is taking the first step even when you don't
15 see the whole staircase, and many people in this
16 room have felt the need to allow me to lead you in
17 this Chamber, I have never forgotten that, it has
18 been a tremendous honor and we should all be proud
19 of what we have accomplished, not just today, but
20 over the last two years. Speaker Crisafulli, I
21 wish you God speed and all the luck in the world.
22 Thank you.

23 And bear with me, I am calling the President,
24 bear with me, one minute. Hold on one second.
25 President Schenck, you are recognized for a motion.

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

182

1 REPRESENTATIVE SCHENCK: Thank you,
2 Mr. Speaker, I move to lay HB 1-A on the table.
3 SPEAKER WEATHERFORD: President Schenck moves
4 to lay HB 1-A on the table. All in favor say yea.
5 (Chorus of yeas.)

6 SPEAKER WEATHERFORD: Opposed, no. Show HB
7 1-A Iaid on the table. You are recognized for a
8 moti on.

9 PRESIDENT CRISAFULLI: Mr. Speaker, I move
10 that the House do now adjourn sine die.

11 SPEAKER WEATHERFORD: President Crisafulli
12 moves that the House do now adjourn sine die. All
13 in favor say yea.

14 (Chorus of yeas.)

15 SPEAKER WEATHERFORD: Opposed no. Show the
16 House is adjourned sine die.

17 (Whereupon, the proceedings were concluded.)

18
19
20
21
22
23
24
25

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀

183

1 CERTIFICATE OF REPORTER

2
3
4

5 I, CLARA C. ROTRUCK, do hereby certify that I
6 was authorized to and did report the foregoing
7 proceedings, and that the transcript, pages 02 through
8 182, is a true and correct record of my stenographic

9 notes.

10

11 Dated this 14th day of August, 2013, at
12 Tallahassee, Leon County, Florida.

13

14

CLARA C. ROTRUCK

15

16

Court Reporter

17

18

19

20

21

22

23

24

25

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

♀