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THE FLORIDA SENATE
CHAIR GALVANO AND CHAIR OLIVA
AUGUST 19, 2015

Reported by:
CLARA C. ROTRUCK
Court Reporter

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

2 SENATOR GALVANO: Okay, well, Chairman,
3 welcome. I appreciate you taking the time to
4 come meet with me and giving us this
5 opportunity in as informal as this is, it is
6 really informal, but an opportunity to explain
7 what our difference is and so that you can go
8 back with your -- your team and take a look at
9 it and hopefully if there are any questions we
10 can clear that up.

11 REPRESENTATIVE OLIVA: Well, thank you,
12 Mr. Chairman, and thank you to all of the
13 Senators and the Representatives that are here
14 today. We have obviously a job to do before us
15 and it is important that we understand that to
16 the degree that we can get that job, that job
17 done to the best of our ability and that it can
18 be compliant, the House is certainly open to
19 any improvement.

20 SENATOR GALVANO: Thank you, thank you,
21 and that, that means a lot, and I think we are
22 both here along with our respective chambers in
23 good faith to see if we can produce a product
24 that complies with the Constitution.

25 So if it is okay with you I will just run

1 through a few points that I think we need to
2 make with regard to the difference between the
3 two products. And I will start with some
4 process issues, and just so that we are clear
5 and you understand what took place in our
6 committee, this amendment that went on in
7 committee was drawn by our Staff Director Jay
8 Ferrin, who you know very well, together with
9 Senator or President Tom Lee.

10 There was no outside influence. Our
11 record reflects that. It was not a product
12 that was forwarded to him and then it produced
13 in-house. It really had a -- a genuine genesis
14 within the committee process, and the genesis
15 was a desire to reduce the number of cuts to
16 Hillsborough County and that is where it began,
17 and notwithstanding that that is what the
18 genesis of the amendment was, I do want to make
19 clear that it in no way meant that we were
20 going to somehow re-prioritize or apply Tier 2
21 requirements differently than we would anywhere
22 else in the state.

23 And so in doing that we also had before us
24 a proposal that Senator Bradley had that would
25 have returned Congressional District 16 to its

1 original configuration, and I would say
2 Manatee, Sarasota district and it was not one
3 that the Court had any -- any issue with.

4 And so with staff the amendment was
5 produced and what it essentially did was take
6 Districts 15, 16, 17, 9, 10 and 11 and turned
7 them counter clockwise, and the result of that
8 was to achieve the goal that was enunciated in
9 committee through the sponsor, as well as to
10 achieve the goal that Senator Detert and
11 Senator Bradley had sought to accomplish.

12 Overall it actually improved the Tier 2
13 components for the entire map by keeping two
14 more cities whole, reducing city cuts by four
15 and then reducing county cut by one, with the
16 caveat, because there was in 16 we still have
17 Egmont Key which used to be part of my House
18 District. It is not a populated little island,
19 but if you are looking at populated areas then
20 it does reduce cuts to Hillsborough County.

21 The map that we passed today has the same
22 Reock score as the base map at a .43, it has
23 the same Convex Hull at .76.

24 When compared to the base map as I
25 mentioned, city splits are less, it keeps

1 Auburndale and Groveland together. When
2 compared to the base map as I mentioned the
3 Hillsborough populated cut is reduced. So in
4 particular to the District CD 9 it has, when
5 you compare that to the base map it actually
6 has a lower Reock, .69 in the base versus .59
7 in the map that we passed today in the Senate.
8 It has a slightly slower Convex Hull as well at
9 .88 in the base and .85 in the map that we
10 passed. While it is less compact in the base
11 district, it is neither visually or
12 statistically non-compact within the
13 appropriate realm.

14 CD 10 has a much higher Reock in the
15 Senate map in the base. The base has .49.

16 The map we passed has a .64. In CD 10 it
17 has a slightly lower Convex Hull, .89 in the
18 base and .85 in the map that was passed. It
19 does maintain the same level of likelihood that
20 it would perform as a coalition district and
21 still respects the political and geographical
22 boundaries by following U.S. 27 and the
23 boundaries of Lake County.

24 With regard to CD 11, it has a higher
25 Reock score, .52 in the base compared to a .53

1 in the Senate plan. It has a slightly higher
2 Convex Hull, .80 in the base versus a .81 in
3 the plan that was passed.

4 These changes are higher, but in fairness
5 they are not greatly significant. They are
6 close in the numbers.

7 With regard to CD 15, when you compare it
8 to the base map it has a slightly lower Reock
9 at .34 versus a .35, again, deminimus and has
10 the same Convex Hull, and it does keep all of
11 Lakeland in its boundaries.

12 With regard to CD 16 it has a lower Reock
13 of .64 in the base versus a .40 in what the
14 Senate has passed. It also, the Convex Hull in
15 the base is a .90 versus a .81, and this is the
16 district that went back to its original
17 configuration.

18 This was not a district that was singled
19 out by the opinion of the Court, and again it
20 was the same as it is in the enacted plan.

21 With regard to CD 17, it now has more of
22 Polk County in it including Bartow, Ft. Meade,
23 Mulberry and Winter Haven. It has had a higher
24 Reock score than the base map, .57 in the base
25 versus .61 in what was passed. It has a

1 slightly lower Convex Hull, .79 in the base
2 versus .77 in the -- in what was passed, and
3 this, as I mentioned earlier, allows us to keep
4 Auburndale whole.

5 Again, when you look at it statewide the
6 compactness scores are the same as the base
7 map, but we do improve on the number of city,
8 city splits as well as what I mentioned on the
9 at the county level.

10 Just for clarity, we didn't do any
11 political performance on any of the districts
12 other -- any of the non minority opportunity
13 districts. Obviously we did for the minority
14 districts, and though we are in an open setting
15 and I will reiterate in more of like a
16 predicate, that it was not drawn with the
17 intent to favor or disfavor any political party
18 or incumbent.

19 It does not diminish the ability of
20 minorities to participate in the process or
21 elect representatives of their choice. Again,
22 they are compact. We went through all of that
23 and it respects geographical and political
24 boundaries and it also meets the equal
25 population requirements.

1 So those are the changes, and Chairman, I
2 can't emphasize enough how -- how fluid our
3 process was in committee and the work of the
4 members and the product that came out was a
5 true committee product and not just that of an
6 individual member.

7 CHAIR OLIVA: Well, thank you, Mr.
8 Chairman and thank you for being so thorough in
9 your explanation. Agreed, one of the good
10 parts of this process and there hasn't been a
11 tremendous amount of those, is the fact that
12 our staffs have worked together and they have
13 worked together on that base map. And so -- so
14 we speak the same language from the beginning
15 and that has been important.

16 I can tell you at first glance the idea of
17 improvements that you talk about, particularly
18 those improvements which would result in less
19 city splits are certainly intriguing. What we
20 have said from the beginning over in the House
21 that to the degree that a better map and better
22 with regards to compliance of Tier 1 and Tier
23 2, to the degree that a better map could be
24 produced we were certain open to it.

25 We don't have a particular pride of

1 authorship mainly because this map, this base
2 map was drawn by both of our staff.

3 SENATOR GALVANO: Right.

4 REPRESENTATIVE OLIVA: And also because it
5 was affected in very large part by the
6 decisions and the directives of the Supreme
7 Court. And so we don't hold the pride of
8 authorship.

9 Our goal, like yours, I know this to be
10 certain, is to provide the best possible most
11 compliant map. And so I can just tell you,
12 just at a glance looking at these things,
13 obviously we would need time to digest all of
14 the different changes and look into them.

15 Our concerns are going to be around Tier 2
16 and Tier 1. So and in Tier 2, from some of
17 which you have told me there are some clear
18 improvements here and so that in courages me,
19 certainly with regards to city splits.

20 Tier 1, as you know, is a question that I
21 think will occupy both chambers for years to
22 come, and one that we should probably work
23 together on to remedy so that future
24 Legislatures don't find themselves in this same
25 position. But Tier 1 is a high threshold tier

1 and particularly in the -- in the position that
2 we find ourselves in, we find ourselves having
3 to prove a negative and that becomes difficult
4 with regards to intent.

5 In addition to that, there is even further
6 consideration we must make. As you know in
7 apportionment one the Supreme Court stated that
8 there had to be a uniform methodology
9 throughout the state on how things were done
10 and how counties and cities were split. And so
11 there should be -- there should be a narrative
12 from the northern most part of the state to the
13 southern most part into how those things were
14 drawn.

15 And so those are the constraints before us
16 and the hurdles that we have to overcome, but
17 you have the House's commitment that if we can
18 produce a better map together and we can keep
19 can more cities whole and we can adhere to Tier
20 1 and the opinions in apportionment one and
21 some of the other opinions you have our
22 commitment that we hope to build that product
23 together.

24 SENATOR GALVANO: I appreciate very much
25 what you said and you have done a great job of

1 enunciated where we are in the process, what
2 constraints we have. And, you know, it is
3 unique, I mean, here we are having -- having
4 this meeting right here and right now in these
5 circumstances that we are in. It is all
6 because we are a part of this, a part of this
7 remedial session that involves a continuing
8 judicial oversight.

9 But we have looked at the criteria that
10 you have described, including the uniform
11 application of the Tier 2 requirements. That
12 was something that I have discussed with our
13 counsel over here and something that we were
14 aware of as we went through this amendatory
15 process.

16 So hopefully as you come back and look at
17 it you will see where we are and, again, we
18 remain open minded as well.

19 We want to get it right and we want to get
20 it right with the House and close this chapter.

21 Thank you for your time.

22 REPRESENTATIVE OLIVA: Thank you, Mr.
23 Chairman. Thank you, Senators and House
24 members.

25 (Whereupon, proceedings were concluded.)

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CERTIFICATE OF REPORTER

I, CLARA C. ROTRUCK, do hereby certify that I was authorized to and did report the foregoing proceedings, and that the transcript, pages 01 through 11, is a true and correct record of my stenographic notes.

Dated this 20th day of August, 2015, at Tallahassee, Leon County, Florida.

CLARA C. ROTRUCK

Court Reporter

Commission No.: FF 174037

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