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

2 THE SECRETARY: Quorum call, please
3 indicate your presence.

4 PRESIDENT HARIDOPOLIS: The Secretary has
5 opened up the board once again for a quorum
6 call.

7 THE SECRETARY: A quorum is present,
8 Mr. President.

9 PRESIDENT HARIDOPOLIS: A quorum being
10 present, Senator Gaetz has asked a question.
11 You are recognized, Senator Gaetz.

12 SENATOR GAETZ: Thank you, Mr. President.
13 Mr. President, I move that by two-thirds
14 majority of the Senate roll the pending Bill to
15 third reading.

16 PRESIDENT HARIDOPOLIS: All those in favor
17 say yea.

18 (Chorus of Ayes.)

19 PRESIDENT HARIDOPOLIS: All those opposed
20 say nay?

21 (Chorus of Nay.)

22 PRESIDENT HARIDOPOLIS: The motion is
23 adopted. Seeing five hands, Secretary unlock
24 the board and Senators prepare to vote. All
25 those in favor? All those opposed.

1 PRESIDENT HARIDOPOLIS: Secretary, lock
2 the board and announce the vote.

3 THE SECRETARY: Twenty-seven yea's, 12
4 nay's, Mr. President.

5 PRESIDENT HARIDOPOLIS: And by your vote
6 the Bill passes by the required two-thirds.

7 We are now on third reading.

8 THE SECRETARY: Committee Substitute for
9 Senate joint Resolution 1176, a Joint
10 Resolution of Apportionment.

11 PRESIDENT HARIDOPOLIS: All right, all
12 those who would like to be heard in debate, if
13 you just raise your hand. I would be happy to
14 take those in debate.

15 Senator Bullard? Others who would like to
16 be heard in debate? Senator Joyner. Others in
17 debate, Senator Braynon. Others who would like
18 to be heard in debate, Senator Sobel. Others,
19 Senator Smith. Senator Rich, Senator Bennett,
20 Senator Thrasher, Senator Negrón. Others who
21 would like to be heard in debate. And, of
22 course, Senator Gaetz, you are going to close.

23 And Senators, anyone else who would like
24 to be heard, obviously we are not going to
25 delay any opportunities at debate. We will

1 stay in debate as long as you would like to
2 stay in debate.

3 I would request that you let it be known
4 through the Minority Leader or Majority Leader
5 if you would like to debate or if you can get
6 my attention.

7 So let's start with Senator Joyner, you
8 are recognized in debate, followed by Senator
9 Bullard.

10 SENATOR JOYNER: Thank you, Mr. President.
11 I rise in opposition to this reapportionment
12 plan, because I believe that it was prepared in
13 violation of Florida's Redistricting standards.

14 Specifically I believe the Legislature is
15 poised to use the pretext of minority
16 protection to advance an agenda that seeks to
17 preserve incumbency and pack minority seats in
18 order to benefit a particular party.

19 Packing a district with more minority
20 voters than is necessary to create an
21 opportunity to elect representatives of choice
22 bleaches surrounding districts and limits the
23 influence of minorities overall.

24 In Florida for the last 20 years this sort
25 of packing of African-American voters has been

1 used to ensure the election of a
2 disproportionate number of Republican
3 candidates.

4 Each of Florida's districts that have
5 elected African-American representatives
6 contains substantially more African-American
7 population than is needed to allow
8 African-Americans an opportunity to elect their
9 preferred representatives.

10 I believe this practice violates the
11 constitutional mandate to avoid partisan
12 favoritism and protect minority rights at the
13 same time. The plan we are considering does
14 this by employing a standard of retrogression
15 that requires the same level of packing as
16 currently exists.

17 Our maps actually fail to create new
18 opportunities for minorities to participate in
19 the political process and elect their
20 representatives of choice. While this plan
21 does guarantee a certain number of black
22 Legislators will be elected, it also ensures
23 that we will be in a perpetual minority in the
24 House and the Senate with little ability to
25 advance an agenda that will benefit the very

1 people we represent.

2 I believe this approach will, as it has in
3 the past, continue to diminish the ability of
4 our communities of color to impact the
5 legislative process. The Legislature has shown
6 a clear indifference to many of the issues we
7 have fought for because we are a part of such a
8 small minority. They just do not have to
9 listen to our constituents.

10 Florida has one of the highest rates of
11 uninsured in healthcare, one of the lowest per
12 pupil expenditures for public education and
13 makes it more difficult than nearly any other
14 state in the Union for felons to have their
15 civil rights restored and the list goes on.

16 As I sat through the redistricting
17 committee process I heard repeatedly how the
18 Committee and this Legislature wanted to
19 protect minority voting rights. Ironically at
20 precisely the same time so many were declaring
21 their support of the Voting Rights Act.

22 I am not aware of a single member of the
23 Legislature who spoke out against the current
24 Secretary of State's efforts to declare Section
25 V of the Voting Rights Act inapplicable to the

1 regions in Florida that have had heightened
2 histories of racism.

3 While I appreciate the openness of the
4 process and the accessibility of the Chairman
5 and staff of the Reapportionment Committee,
6 ultimately I cannot support a product that will
7 perpetuate exactly the practices that the new
8 Fair Districts standards sought to outlaw.

9 PRESIDENT HARIDOPOLIS: Senator Bullard,
10 you are recognized in debate.

11 SENATOR BULLARD: Thank you,
12 Mr. President. I stand not to take down what
13 -- a process that has really demonstrated that
14 we have transparency, one that we have
15 struggled, many members of this august body.
16 We have worked hard.

17 I unfortunately was unable to be there for
18 the many hearings throughout the state, but
19 when we have worked so very hard on a product
20 such as the one that has been put before us in
21 the past, what, 10:00 this morning until now,
22 1:00, approximately 1:30, and probably will
23 carry on and on and on, it is difficult for me
24 to, I guess I ask the question, what more
25 should we do on the floor today, except just

1 debate it?

2 I respect my Minority Leader and I have a
3 great deal of respect for her and I will
4 continue to watch as this moves through the
5 process. I would hope that it will move
6 through the process in such a way that everyone
7 will be recognized and everyone will be
8 represented fairly in this state.

9 We, as I said earlier and I did put part
10 of my debate into the form of a question. I am
11 here today as a result of a Voting Rights Act,
12 and we have now before us Amendments 5 and 6
13 which we have tried very hard in committee to
14 adhere to.

15 The long hours spent from 1:00 to
16 6:00 o'clock in committees. I mean, the
17 longest committee meetings I believe we had
18 since I have been in the process other than
19 budget.

20 So with that type of work that members of
21 this body, many of you because we all, I
22 believe that we had a real, real big committee
23 there and we had a committee that was cross
24 bi-partisan, we had people who were thinking,
25 who were visionaries and we worked together.

1 Senator Gaetz, the Chairman of the
2 Committee, I will tell you, he gave everyone an
3 opportunity to speak and to say whatever they
4 felt without being disrespectful to one
5 another, but he allowed us to speak to the
6 issues.

7 Yes, this -- there are some problem areas,
8 and I am certain those problem areas, according
9 to what I am told is going before the Court.
10 So why am I going to stand here today and
11 debate what might end up in the courts anyway?

12 So with that said, Mr. President, and
13 members of this body, I will say to you that we
14 need to, to just breathe and settle down and
15 know that if there is anything that we have
16 done as a body that is unconstitutional, it
17 will certainly fall in the hands of the other
18 branch of government, and that is the judicial
19 branch.

20 But at this point I don't see any changes
21 by my voting no. So because I was a member of
22 the Committee and because I worked with you,
23 Senator Gaetz, and because of people such as I
24 told him he was a very smart man, Senator
25 Simmons, you are very smart, and Benacquisto,

1 Senator Benacquisto and my Former Speaker
2 Thrasher, you were fair with me.

3 I asked you questions, you found the
4 answers. You didn't always have the answer
5 right there, but because you are attorneys, and
6 I don't know, Simmons, whether you are an
7 attorney, I don't know or not, he is an
8 attorney, too, but regardless of what,
9 Mr. Chair, Mr. President, I just need to get it
10 all out.

11 Regardless, and President Margolis, you
12 know, you don't have to ask President Margolis
13 how she feels. She looks at you. She just
14 stares to let you know that is how she feels.

15 President Margolis, who I have a great
16 deal of respect, the greatest deal of respect
17 for in this process because she has been in the
18 processes so long, I want to say that she sat
19 and she -- I looked at her, I shook her hand on
20 some occasions, asked her what her feelings
21 were about it and we worked together in a
22 bi-partisan fashion.

23 We had differences, well, I disagreed
24 initially with some things that were in the
25 Bill, but now we have a product that a whole

1 lot of work has been put into, and as I said to
2 you yesterday, we celebrated MLK, and I reflect
3 on that because I know that the Voting Rights
4 Act and all of those things came on the backs
5 of many of us in this room, and they were not
6 just blacks.

7 There were people of different cultures
8 who stood on the front lines to see that what
9 is right is what is right. When I was elected
10 to this body I was talking to Mr. Guthrie, who
11 came to my desk and assist me on some questions
12 that I had prior to the questioning of Senator
13 Gaetz earlier.

14 And I said to him that when I was elected
15 to office, reapportionment was in 2002. I
16 remember then Speaker -- he was Speaker Mario
17 Diaz -- no, Rubio, and he was up for
18 Speakership, and then Representative Mario
19 Diaz-Balart, they ran to my office and they
20 asked me, please, tell us where we can get some
21 blacks out of your district, because we need
22 some blacks.

23 And I said, well, here they are. This is
24 where they are. I call them pockets. Now,
25 what they found was this, that I had 58 percent

1 white district and it was the balance was like
2 equal with Hispanic and black.

3 Now, I will tell you today that people
4 elected me, I was unopposed, I was reelected,
5 reelected, and you know why? Because they
6 said, Bullard is a fair person. She is going
7 to vote in the best interest of all people.

8 When I stand here today I wonder what has
9 happened to that thought pattern. What has
10 happened to that culture of voting? All of us
11 and I am looking at faces, the majority of us,
12 I would say the majority of us, we were in the
13 '60s, we grew up in the '60's era, we know what
14 happened during that time, so we know the need
15 to do something and to do it right.

16 So I ask you today that we move forward,
17 get this work done so that we can go about
18 dealing with the other issues that we are
19 confronted with, and each of us know that we
20 have some very, very serious issues that we
21 must address other than reapportionment. This
22 is the most important, but we have others.

23 So I ask you, members, to assist, to
24 assist today in moving this legislation forward
25 so that we can move on to the other legislation

1 that we have before us, this 2012 session.

2 Thank you.

3 PRESIDENT HARIDOPOLIS: All right, Senator
4 Bennett, Senator from the 21st District, you
5 are recognized.

6 SENATOR BENNETT: Thank you,
7 Mr. President. You now, members, I was here in
8 2000. I was over in the House, and there was a
9 lot of actual local debate whether my seat was
10 drawn as a product of gerrymandering. I was
11 there.

12 There was a little issue between the
13 Senate President at that time and one of the
14 members and the district came out very, very
15 much in my favor. It was done in the back
16 room. It was done quietly, there were no
17 public hearings. There was no public debate,
18 there was no inclusion, there was nobody
19 invited to the desk to give their opinion.

20 To be quite frankly, I don't think anybody
21 cared about your opinion or mine or anybody
22 else's. So along comes Senator Don Gaetz and
23 Senator Mike Haridopolos and a few other people
24 who say, you know what, we can do something
25 different.

1 We can make the most inclusive
2 redistricting ever happen in the entire United
3 States. We are going to keep it open for
4 everybody. We are going to include everybody.
5 And the last time I saw this much inclusion was
6 really kind of interesting. I think a lot of
7 you were here a couple of years ago when my
8 good friend, Senator Jim King was standing up
9 on the Senate floor and talking about the
10 budget and the Democrats had made up their mind
11 at that time they were going to vote in mass
12 against the budget, and Senator King pointed
13 out that that budget was built by all of us, it
14 included all of us, Republicans, Democrats,
15 everybody had a seat at the table.

16 He gave you what you wanted. He asked for
17 what you wanted. He took your input and he put
18 it into the budget, and everybody worked on
19 that budget together, and about half of the
20 Democrats in the room said, you know what, that
21 is true, we were treated fairly, and they
22 switched their vote and we passed that budget
23 out because everybody realized that it was an
24 open process, it was an inclusive process.

25 There were no secrets, there were no

1 hidden agendas. It has never happened like
2 this before. Something else was interesting
3 because the Senate President and I spoke about
4 me coming into the current position I am in.

5 He said what about redistricting? And he
6 said would you chair that? And we talked about
7 that and we realized that the Senator President
8 disliked Don Gaetz a little bit more than he
9 disliked me, so he decided that that is
10 probably the way it should go, and it was a
11 correct decision, because Senator Gaetz did
12 something that never had been done before in
13 redistricting in the state of Florida.

14 He and the incoming Speaker of the House
15 got together and said, you know what, let's
16 change the whole process. Let's change the
17 process, include everyone's ideas and so to get
18 here today and think that you were not
19 included, you did not get to ask your
20 questions, that you did not get to look at the
21 map, that you did not get to talk to the people
22 in your district, is totally a false
23 impression.

24 This was the right thing to do. It is the
25 right thing to do today. Let's vote it out of

1 here, let's get it out and something Senator
2 Bullard pointed out. There are some areas of
3 contention that may go down to some legal
4 decisions and we could be back here doing this
5 again, because when you change one district you
6 have got to just about change them all, okay,
7 but Senator Bullard pointed out, let the courts
8 decide those issues that they are going to have
9 a serious problem with.

10 But I think that that is what we should be
11 doing today is pass the process out, let's pass
12 the Bill out, we don't need to debate this
13 thing forever, on and on and on. You have been
14 included, you have been asked and Senator
15 Gaetz, I congratulate you and the entire team,
16 both sides of the aisle, both parties, for a
17 wonderful, wonderful process. I think you guys
18 did a great job. Thank you.

19 PRESIDENT HARIDOPOLIS: All right, Senator
20 Sobel, Senator from the 31st District, you are
21 recognized.

22 SENATOR SOBEL: Thank you, Mr. President.
23 First of all, I want to thank Senator Gaetz,
24 Vice Chair Margolis, Leaders Rich and Gardiner
25 and committee members and the public that

1 participated in this process.

2 I also want to thank the wonderful staff
3 that worked very hard and all of the vacation
4 time they gave up and I thought that it was
5 really important to express my gratitude.

6 This summer I had the opportunity to visit
7 the Clinton Museum in Little Rock, Arkansas and
8 I saw this quote, "Every election is about the
9 future", and that was said by Secretary of
10 State Hillary Clinton.

11 Secretary Clinton surely knows what is
12 going on on the other side of the ocean. What
13 is going on with elections, and she is very
14 much aware about what is going on here today.

15 So in retrospect we need to move this
16 redistricting process forward, to culminate
17 with informed voter decisions. I believe that
18 is really our objective. We know that the
19 courts will be involved and it is important to
20 be timely.

21 We have this timeline and we should abide
22 by it. I will vote yes to move this process
23 forward so that we can plan for the future in
24 an orderly fashion. Thank you.

25 PRESIDENT HARIDOPOLIS: All right, the

1 Senator from the 28th District, you are
2 recognized.

3 SENATOR NEGRON: Thank you very much,
4 Mr. President, and I wanted to just briefly
5 comment on Senator Joyner's statements that she
6 made in debate, and obviously I have, as we all
7 do, have enormous respect for Senator Joyner
8 for the fact that she was a pioneer, not only
9 in the African-American community, but I don't
10 think she just belongs to the African-American
11 community, I think she belongs to the community
12 of Florida and the history of Florida and I
13 have enormous respect for her.

14 She served as my Vice Chair when I Chaired
15 the Judiciary Committee a couple of years ago.
16 So I am somewhat puzzled by what I think are
17 very incendiary remarks about intent to harm
18 African-Americans in particular and minorities
19 in general.

20 If you look at the population, the voting
21 age population of Florida roughly of
22 African-Americans is about 15 percent. There
23 are six African-American Senators, which is
24 about 15 percent.

25 I would hope for and want a day when it

1 could be more than that or less than that or
2 frankly it wouldn't matter whether a person was
3 black, white, Hispanic or of any particular
4 ethnicity. I know many of us in our districts
5 that even aren't majority African-American take
6 the same time and interest in our constituents
7 whether they are black, white, or Hispanic or
8 Asian or any other ethnicity for that matter.

9 But I think Section II of the Voting
10 Rights Act does clearly require that we not
11 diminish the number of African-Americans in
12 majority, minority seats, and I can only
13 imagine what the allegations would be if we, in
14 fact, diluted those seats, particularly with
15 the growth in Florida which is occurring more
16 in non African-American populations than in
17 other populations.

18 So if we didn't insist on having districts
19 where African-Americans can be elected, over
20 time we would continue to dilute those seats
21 more and more and we may end up with less than
22 the African-American representation that we
23 have.

24 I would also like to say that the Bill
25 that Senate Gaetz is proposing today very much

1 mirrors the NAACP maps that they recommended to
2 us. In fact, it preserves the exact same
3 majority, minority districts that our proposal
4 preserves.

5 So I think that any allegation that there
6 is somehow an attempt to harm a particular
7 group of individuals based on their race, I am
8 simply not persuaded by that and I don't think
9 there is any evidence that it is either the
10 intent or the result of what we have done here
11 today.

12 Secondly, you know, it is one thing to
13 criticize a plan and frankly, the criticism
14 today has been pretty muted, but the majority
15 of folks in the minority party who have spoken
16 so far said they are going to vote for it and
17 the majority of minority party members voted
18 for it in the Committee.

19 But if you do oppose it and there is
20 always grounds to oppose things. I mean, there
21 is two sides to most stories, it would have
22 been nice if someone would have actually filed
23 an amendment to the plan, either in Committee
24 or on the floor.

25 If you feel so strongly that a plan is,

1 will result in a loss of racial diversity in
2 the Senate which is no one's intent or you feel
3 it has other defects, why wouldn't a member of
4 the Committee file an amendment, either in the
5 Committee or on the floor.

6 And my final point, Mr. President, is
7 related to this. You are a member of those who
8 traveled the state and sat through public
9 testimony and I brought my notes from several
10 of the hearings that we took, and how many
11 people did we hear, principally from the League
12 of Women Voters, but from others as well, where
13 are the maps. How come we don't have maps.
14 Why are we having a hearing without maps, where
15 are your maps.

16 Well, now, isn't it ironic that when we
17 have had an opportunity for maps in the
18 Committee and on the floor, the people who
19 object to this plan, there are no maps.

20 So the people that were yelling at us to
21 have maps apparently couldn't get maps filed in
22 a timely manner to be considered, and I think
23 that it is reasonable for us to question the
24 authenticity of that criticism when they didn't
25 follow their own advice.

1 So when you look at this entire process,
2 how it was driven by where the evidence was,
3 where members of the public spoke, and as
4 someone who cares about the rights of
5 minorities, who cares about people who are
6 charged with crimes, who cares about people
7 that society says we shouldn't care about, you
8 know, I want to make sure that when I vote for
9 a plan that it is fair to African-Americans.

10 That is important to me as someone who is
11 not African-American, but I care about that,
12 and I would never support a plan that took away
13 the voice of any group, and I think the track
14 record in this body, and I know Senator Joyner
15 and I have worked on a number of things
16 together that disproportionately effect
17 African-Americans and I will continue to do
18 that.

19 I think this plan is fair. It is drawn in
20 such a way that it gives equal opportunity to
21 every candidate to participate and for every
22 citizen to have their vote count in the way
23 that they see fit.

24 Thank you, Mr. President.

25 PRESIDENT HARIDOPOLIS: All right, the

1 Senator from the 29th District, you are
2 recognized.

3 SENATOR SMITH: Thank you, Mr. President.
4 Over the weekend my son came to me and said,
5 daddy, I made my bed, I took a bath, I brushed
6 my teeth, I did all of those things this
7 morning. Can you go buy me a new video game?

8 And I said, Christopher, those are things
9 you are supposed to do. You don't get extra
10 credit for doing what you are supposed to do.

11 Having open meetings, having input, having
12 people be able to get up and criticize, going
13 around the state talking to actual voters, that
14 is what you are supposed to do. You don't get
15 extra credit for that.

16 You don't get a yes vote just because you
17 did what you are supposed to do. The beauty of
18 this Legislature is that we all have input.
19 The beauty of this country, the beauty of this
20 Constitution is that everybody has input.

21 So I applaud those that did what they were
22 supposed to do, but by no means think that we
23 should vote for it because you did what you
24 were supposed to do.

25 Secondly, we hear and I am sure we are

1 going to hear more about, well, you didn't file
2 amendments, you didn't do your own map, you
3 didn't do that. I wish that was the rule of
4 this Legislature, because I have filed Bills
5 for 12 years and have had no one come up to me
6 with an amendment.

7 I filed a Bill for 12 years, have no one
8 come to me for input, but I have seen a lot of
9 red go up on the board when my Bills come up.
10 I have seen a lot of no's in committees when my
11 Bills come up.

12 So just because I don't have an
13 alternative map, just because I don't have an
14 alternative amendment don't mean that I have to
15 vote for this map.

16 So my friends, I have voted for a lot of
17 your Bills through the years and I have voted
18 against a lot of your Bills, but it is because
19 I believe in certain things. It is not a
20 disregard or a disrespect for all of the work
21 you have put into it. That is what you are
22 supposed to do.

23 Now, as it comes to these maps. It is
24 hard to do redistricting, there are a lot of
25 laws and Senator Gaetz and our committee

1 especially should be applauded for having to
2 take on the task of weighing through the
3 Constitution and the amendments and these court
4 decisions and these court decisions. It is so
5 hard to do that, and they put together a work
6 product that I disagree with.

7 I can't point out and I don't have time,
8 being that we asked questions today and I don't
9 have time to say the litany of reasons, but I
10 will just use what Justice Stewart said in the
11 Supreme Court years ago when discussing
12 obscenity.

13 I can't define it but I know it when I see
14 it. I can't give you 1,000 reasons why this
15 map is bad. I can just look at it and see some
16 of those districts and some of the way they are
17 drawn to know that it is bad.

18 So my friends, I will sit here today and I
19 will vote against the map, but please don't
20 take it as a disrespect or a sign that I don't
21 respect the work that you did, that I don't
22 respect that you had input from all over the
23 state, that I didn't dare give an amendment,
24 because you supposed to do those things.

25 You don't get extra credit, Christopher,

1 for doing what you supposed to do. Thank you.

2 PRESIDENT HARIDOPOLIS: All right, the
3 Senator from the 7th District, you are
4 recognized.

5 SENATOR LYNN: Thank you, Mr. President.
6 Senator Smith, I am so glad you got your Bills
7 with red on the board because I have to tell
8 you, most of my Bills don't even make it to the
9 floor, so you are in better shape than I am.
10 Yes, sir, that is true, Mr. Rulesman.

11 And in terms of supposed to do, I was here
12 the last time, too, and I guess each in
13 previous years I have kind of followed the
14 process, and I have to tell you, supposed to do
15 has nothing to do with it. We never did this
16 before. We have never done this before.

17 We all tell everybody we are here to
18 represent the people, we all are here and I
19 say, I vote, and you know that is true of me, I
20 vote certain ways, sometimes not always in
21 favor with everybody, because I know that the
22 people I represent want me to vote a certain
23 way and that is what I do.

24 So we all believe that we are here to
25 represent the people and yet there are times

1 over the years we have not done that in
2 redistricting, and so this is something very
3 unique.

4 And when people came before us and
5 everybody here traveled and traveled and
6 traveled and traveled, and that was an endless
7 process, and if you sat through those long
8 meetings I will tell you, it was very endless,
9 and then we listened to every single person who
10 had an idea, sometimes way out, I mean, really
11 way out, and those that were absolutely serious
12 and determined, they sent those maps in.

13 How many was that, 170, 155? I mean, that
14 is a lot of maps and we had staff go over each
15 and everyone of those maps to see how could we
16 incorporate some of the good ideas that also
17 represented what all of those people had said.
18 How could we do that and try to make sure that
19 people would recognize that they were being
20 heard.

21 Now, I will have to tell you, when I was
22 in the House I had a very interesting district.
23 It was more Democratic than it was Republican,
24 and it was so compact, I loved it. I also had
25 a very large minority population and I served

1 that population very well.

2 Most of them had known me for 1,000 years
3 and we were very close, and I did represent
4 them well and many of you on this floor know I
5 have continued to protect that population,
6 whether it was historically black colleges or
7 whatever, I have tried to always protect that
8 population.

9 And so it continues in my position on this
10 Committee. I still believe that is a very
11 important thing to do. It has nothing to do
12 with the Constitutional requirement. It is
13 something, as you say, you believe in and you
14 want to have good representation.

15 Well, I will tell you, my district went
16 from that 50/50 to a Republican so-called
17 district in the Senate, but guess what, it was
18 50/50, but probably more Democratic than
19 anything else, and that is what I was given as
20 a Republican.

21 And it was also two hours in that
22 direction and two hours in another direction
23 and it was an endless waste, a waste of time to
24 have to travel all of that distance, but yet I
25 did.

1 I got to all of those districts as you do,
2 too, no matter how far away they are. You went
3 and you do and I look around and, I don't know
4 where Senator Dean, my gosh, 13 counties. How
5 do you do that?

6 Well, people didn't like a lot of things
7 and certainly in my district when they got me
8 they said, oh, you don't live in my district,
9 oh, God, a Senator who doesn't even live even
10 here, a Senator who doesn't know anything about
11 us.

12 And then my own district said, how many
13 Senators have we got in this district. This is
14 ridiculous, and every place we went, every
15 place I went, even before we started, leave me
16 whole, I want one Senator, I want one
17 Representative, they know me, and we went
18 through trying to explain everything.

19 You need a certain number of people, you
20 need a certain geographic protection. We went
21 through all of those things, and I will tell
22 you this is not an easy process. Well, we
23 listened and we listened and people got pretty
24 much what they wanted.

25 Volusia County is now dropped down to I

1 think it would be approximately three Senators,
2 Senator Gaetz, I believe that would be it.
3 Volusia County is left whole and I have to tell
4 you, as I look around, people accuse, oh, you
5 are protecting it for the Republicans, or you
6 are -- I can see a lot of districts and I will
7 point them out for you that are probably very
8 easily going to turn Democratic.

9 I don't hear anybody complaining about
10 that part, not one person has stood up and
11 talked about that part. And then we talk about
12 the minority districts, and in my wildest
13 dreams I never thought when we had a
14 constitutional requirement to protect
15 minorities, and I know I want to protect
16 minority districts, in my wildest dreams I
17 never thought we would end up on this floor
18 with minorities complaining, complaining about
19 the fact that they don't like the majority
20 districts that they have, not that they have,
21 that whoever is going to get it will have.

22 How could you stand up and talk about
23 minority districts when you are supposed to be
24 protecting them, not only constitutionally, but
25 as minorities, you want to protect what you

1 had, and I look at some of those districts and
2 do I like the way they drip, go down like this?

3 It is not my favorite, not my -- the
4 people I represent, they don't particularly
5 like that either, and I mentioned it, didn't I
6 Senator Gaetz, but you know what, it was the
7 way to protect the constitutional requirement
8 take we protect minority districts.

9 Unbelievable that people would stand up
10 and say, oh, well, you know, why didn't you
11 have a few more here or a few more there.
12 Unbelievable to me, but that is the way it is.
13 That is the way it is in the Legislature. We
14 never have a lot of happiness in here.

15 Unhappy members, we sure seem to have
16 them. I don't know why, but I am sorry. I
17 cannot go along with the fact that we spent
18 months on maps, not one, the League of Women
19 Voters, friends of mine, we support each other,
20 and they complained about maps. They
21 complained about a lot of things, fair
22 districts, and yet, Senator Gaetz, I believe it
23 was after the date that we got in the League of
24 Women Voters' maps, but the most disappointing
25 to me of all was that the Democrats never got

1 the maps in.

2 Now, forgive me. I represent a 50/50
3 district don't forget, and if I am going to
4 protect my Democrats as well as my Republicans,
5 if the Democrats want a map, then I think the
6 Democrats have to get in a map, and if the
7 Democrats want to protect the minorities, then
8 the Democrats have to get in amendments or maps
9 that protect those.

10 How they would have done it better in
11 terms of minorities, I simply do not know. All
12 I know is that we are here and it is time to
13 move this Bill. If you love it, you don't like
14 it, I will tell you, if I were running now I
15 would love it. I love Volusia County the way
16 it is right now, but it is also a Democratic
17 area, I think, very Democratic, hard to run as
18 a Republican and I can pick out places all
19 over, all over Florida that are like that.

20 Most amazing. So when people stand up and
21 say, oh, I heard the word gerrymandered by the
22 way, used in our meetings on several occasions,
23 and I am thinking, wow, I don't think this is
24 very gerrymandered.

25 So members, when you vote today if you

1 vote against it, you are voting against a
2 process that is nothing like ever, you are
3 voting against a map that could be equally
4 Democratic as well as Republican in some areas.

5 If you vote against it, you are voting
6 against protected minority districts and how
7 you can do that, I do not know because I could
8 not do that.

9 And so, members, I would ask you to please
10 join with me, get the process on the road, let
11 people know where they are going to run for
12 heaven sakes. People are collecting money like
13 crazy, making contacts in areas they are not
14 even going to serve possibly.

15 It is not fair for campaigns. It is not
16 fair for those incumbents or those who are
17 running, absolutely unfair. It is time,
18 members, get this process moving and vote for
19 this, what I think is a good Bill, but whether
20 you think it is great or not, it is the process
21 that needs to move on.

22 PRESIDENT HARIDOPOLIS: All right, the
23 Senator from the 9th District, the Majority
24 Leader, you are recognized.

25 SENATOR GARDINER: Thank you,

1 Mr. President, and members. I will be very
2 brief, I know we are winding down and we have
3 another work product that we are going to
4 address today.

5 I know Senator Bennett and I think Senator
6 Negron and a couple of others talked about ten
7 years ago. A lot of us were young freshmen at
8 the time, just starting out in the process and
9 we had an opportunity to get involved in the
10 redistricting discussion.

11 One of the things that I have mentioned
12 many, many times as we traveled around and we
13 talked about redistricting is the reality was,
14 is ten years ago there was not a map even
15 presented until January 22nd or January 23rd.

16 In fact, the League of Women Voters
17 actually submitted a little bit closer time
18 frame than what we actually did. I don't
19 think, and it has been said a couple of times,
20 but I do want to address this because I was
21 able to travel ten years ago and traveled a
22 little bit this time.

23 Members, I don't think we comprehend or
24 really understand the amount of time that
25 Senator Gaetz has put into this proposal.

1 Twenty-six locations around the state of
2 Florida. I know that the way it was
3 structured, some of us what go to an area that
4 was in our location or some of us would go to
5 north Florida.

6 Senator Gaetz went to everyone of those
7 hearings, everyone, and if you watched Senator
8 Gaetz, he sat there and he took notes. He
9 interacted with the individuals when they stood
10 up and talked to him. Everyone of them, and
11 if, as you listened to his testimony in
12 presenting this proposal before us today, it
13 references individuals, constituents that came
14 before that Committee, how they testified.

15 Those are from his notes. Those are from
16 what he heard as he was before the state of
17 Florida. I know that sometimes facts get lost
18 in the political spin that is going to happen
19 when we leave here, but there are some things
20 that I think are very, very important, for
21 those that even on our committee now that are
22 bringing up questions take they never brought
23 up in committee.

24 There is a couple of things that I think
25 it is important to remember. June 7th of last

1 year we started this process. The League of
2 Women Voters, Common Cause and others were
3 reached out to and asked for their input, show
4 up to the Committee, just testify, give us your
5 opinion, give us your ideas. Nothing.

6 The Committee, even some that are here now
7 upset and concerned about the process,
8 unanimously agreed that November 1st, would be
9 the date when maps would be submitted, and why
10 November 1st?

11 Because Senator Gaetz wanted to make sure
12 and the Committee would agree and I think
13 Senator Bullard would agree and others, we
14 wanted to make sure that everybody had an
15 opportunity to review those maps, everyone of
16 them, and make sure that if we missed something
17 or something needed to be changed there would
18 be the opportunity for input.

19 We came back a little bit later in
20 November, and we published maps. Contact was
21 paid with the League of Women Voters, Common
22 Cause and others, asking for their input,
23 asking for their testimony, show up to
24 Committee to speak on them, just speak on them.

25 What is your opinion? Silence. There has

1 been a lot of discussion about other maps and
2 other proposals. The reality was there was an
3 amendment filed. Unfortunately it wasn't
4 debated.

5 The League of Women Voters submitted a
6 proposal 65 days after the November 1st
7 request. Whether it is the Rich proposal or
8 the League of Women Voters, go study them, look
9 at them. They diminish minority access in the
10 seats.

11 They went completely against what we as a
12 Committee unanimously agreed we would do. The
13 Rich plan and the League of Women Voters
14 diminished that.

15 Members, I am going to leave you with one
16 last date and I want to read you a quote from
17 the League of Women Voters who chose not to
18 participate at all, except for 65 days after
19 the deadline, and this was a comment from the
20 President of the League of Women Voters, Deidre
21 Macnab, suggested "that we draw maps early in
22 the process, debate and discuss them in
23 Committee meetings in the fall and vote on them
24 in the first week of session in early January
25 of 2012."

1 Now, granted, the League of Women Voters
2 didn't submit anything until January 6th. So
3 they didn't each follow their own advice, but
4 here we are, and I am going to leave you with
5 one last date.

6 March 19th, ten years ago, March 19th is
7 when the Senate passed their map, and here we
8 are in January, early in January, with
9 everybody having the opportunity every step of
10 the way, every hearing, every committee had the
11 opportunity to participate.

12 Some chose not to. Some are going to take
13 the risk at the next stop. But at the very
14 least, members, I went over to Senator Gaetz
15 earlier as he was presenting and showing every
16 aspect of the state and I am more convinced
17 than ever, when you are quoting testimony from
18 individuals who testified, I went to Senator
19 Gaetz and I said this is a really good map, a
20 really good map, and we should all be proud of
21 it, Republican and Democrat.

22 So members, I, you know, there is going to
23 be a lot of political dialogue when we leave
24 here, but let's not lose sight of the facts,
25 let's not lose sight of deadlines that were, we

1 all agreed to, everybody, and the input, this
2 is a good product, members.

3 And in closing we all travel a lot, but
4 Senator Gaetz, you have seen parts of the state
5 take some of us have never seen and I want to
6 thank you for your leadership on this issue, as
7 somebody as I said who has been through this,
8 to see you sit through everyone of those
9 committees and take your own notes and refer to
10 them, refer to those individuals in your
11 opening remarks is a true testament to you as
12 an individual and as a leader and thank you for
13 bringing this forward. Thank you, members and
14 I hope you vote for this good Bill.

15 PRESIDENT HARIDOPOLIS: All right, the
16 Minority Leader, the Senator from the 34th, you
17 are recognized.

18 SENATOR RICH: Thank you, Mr. President,
19 and I have a few comments, just a few responses
20 about some comments that were, that were made.

21 First, I would like to say to Senator
22 Gaetz, we may not agree on the outcome, but you
23 worked really hard to make this a process that
24 was for many, many people were involved, unlike
25 the last go around ten years ago, and I know

1 that you wanted to get a product out sooner
2 than later so that we would have time for the
3 courts to take a look at it and for it to make
4 its way through the process. So I commend you
5 for that and appreciate the comments you
6 continually make.

7 Particularly I will say, the other day
8 when you reminded the Committee that we had
9 unanimous consent on when amendments could be
10 put in, the time frame, and actually came to my
11 side on that, and I appreciate that, and one of
12 the reasons our maps are in the record for
13 those of you who are not aware of that, but I
14 have to say that I really didn't care to expose
15 the Senate to the vitriol that we experienced
16 in the Committee this last week. But as I
17 said, the amendments are there and people can
18 look at them.

19 The other thing I would like to mention
20 about that is that it is somewhat distressing
21 that people, people keep referring or
22 suggesting that the Democrats would do anything
23 to dilute minorities in this process, because
24 the last time I checked, actually all of the,
25 at least the African-American minority in this

1 Legislature is a part of the Democratic Party
2 and their community in general does vote
3 Democratic.

4 So the last thing I think we would be
5 wanting to do would be to dilute minority
6 voting, whether it is Hispanic or
7 African-American, and I would just suggest that
8 many of the questions that we have asked that
9 have not been answered with regard to
10 minorities, whether it is what constitutes
11 retrogression, whether or not you can adjust
12 districts based on the changing demographics of
13 minorities, those are all things that I believe
14 the Court will ultimately determine when they
15 come out with their decision on this map.

16 But I will be voting against the map
17 because I believe, just as I did when we, when
18 it was passed through the Committee that it
19 doesn't comply with the specific standards that
20 are now a part of our Constitution as a result
21 of the 63 percent of Florida's voters.

22 They told us that they didn't like the way
23 that we created the districts in the past. We
24 were directed by them to allow the voters to
25 select their elected officials, not the other

1 way around, and as Senator Gaetz said, well,
2 months ago I think now it seems like, a very
3 long time ago, that the 2002 maps were
4 extremely gerrymandered, in which I think we
5 can all agree to.

6 However, these maps are tremendously
7 familiar to those maps, because we started with
8 the 2002 maps, and I think that the voters told
9 us that they wanted us to start with a clean
10 slate, and not make, not a map that to which we
11 made adjustments that was gerrymandered from
12 ten years ago.

13 The only districts that I believe looked
14 really tremendously different are the termed
15 out seats where there is no incumbent, and I
16 know that it has been said that we did not deal
17 with where people lived and where the
18 incumbents lived, but it is certainly odd that
19 we, unlike the House, have no members that are,
20 who are not termed out that are not in conflict
21 with each other or really have significantly
22 moved their districts.

23 I believe the map does favor incumbents
24 and political parties and it achieves incumbent
25 protection, and it is a little distressing

1 because to me because the words
2 self-preservation are always used in the
3 redistricting process.

4 Certainly ten years ago, I would say it
5 was the highest priority for everybody, at
6 least that is what I saw ten years ago, but it
7 is a form of incumbent protection. And as I
8 said, I think unfortunately that this map does
9 that.

10 It effectively, I also believe that it
11 effectively disenfranchises the voters. So I
12 think that we do need to gain the confidence of
13 the voters and I don't believe that this map
14 does that.

15 I believe we will be back here again, as
16 Senator Gaetz suggested and hopefully because
17 the map is out sooner than later we will have
18 an opportunity to review it and comply with the
19 amendments that are now a part of our
20 Constitution.

21 I don't think that we have done what the
22 voters mandated us to do, and it is all about
23 the voters, not about us. So I will be voting
24 against the Bill and will look forward to, I am
25 sure many months of still dealing with this

1 issue before we finally let the voters know
2 where their districts will be and who will be
3 running in them.

4 PRESIDENT HARIDOPOLIS: Senator from the
5 8th, Rules Chair Thrasher, you are recognized
6 in debate.

7 SENATOR THRASHER: Thank you,
8 Mr. Chairman. You know, the context I would
9 like to make my remarks in basically go back to
10 last year.

11 I would be the first to tell you that I
12 was not in favor of Amendments 5 and 6. I
13 didn't think we needed them. I thought we had
14 adequate precedent. I thought there were good
15 case laws, we had the Voting Rights Act, but we
16 got Amendments 5 and 6 and we spent all last
17 year really talking about how do we implement
18 Amendments 5 and 6, how do we do that.

19 And then we came to this year and we
20 started the actual process of working on
21 Amendments 5 and 6, and we all know, we all
22 know what they were, you know, we are not going
23 to diminish minority voting rights districts.
24 We are going to make sure that we don't favor
25 incumbents and political parties, that we try

1 to draw districts that are compact and that we
2 use geographical boundaries as much as
3 feasible.

4 And so we started this extensive process,
5 this extensive process of public hearings, of
6 debate in committees, and on and on and on as
7 many of you described, but I would remind you,
8 one of the things in Amendments 5 and 6 that I
9 think when it ultimately gets, Senator Bullard,
10 to the courts, they are going to look at, is
11 what was the intent of this Legislature when
12 they drew these maps in respect to Amendments 5
13 and 6.

14 What was our intent, and I have not heard
15 one bit of evidence in the Committee or on the
16 floor of this Senate that suggests that there
17 was any intent not to protect racial
18 minorities, to protect, no intent to protect
19 political parties or incumbents. Certainly no
20 intent to not draw districts where they are
21 compact because we are drawing them much more
22 compact than we did ten years ago, and
23 certainly to use additional, the geographical
24 boundaries.

25 There has -- there have been a lot of

1 conclusions provided by certain members of this
2 floor that they don't like the maps because
3 they do this or do that, but nobody, nobody can
4 point to one bit of evidence that shows we have
5 not faithfully in this body, in this committee
6 followed the Constitution of the State of
7 Florida and the Voting Rights Act of the United
8 States Constitution.

9 So I simply say to you, and this, we have
10 done good work on this Bill. Senator Gaetz,
11 staff, everybody has used this process in a way
12 that has been more open, more transparent and
13 more inclusive than any process that I have
14 ever seen in this Legislature during the times
15 that I have been here.

16 So when we get to the courts they are not
17 going to look at conclusions, they are going to
18 look at what was the intent of this body, and I
19 feel very, very comfortable today telling you
20 that I believe we abided with Amendments 5 and
21 6 and we abided with the Constitution of the
22 United States of America, and with that I would
23 urge each and every member of this body to vote
24 in favor of this very good Bill.

25 PRESIDENT HARIDOPOLIS: Before we go to

1 the Senator from the 4th let me just make a
2 couple of comments.

3 First, I think we owe a huge round of
4 applause of our Reapportionment Chair, Senator
5 Don Gaetz. He has done an incredible job and I
6 think and to the credit of everyone, however
7 you choose to vote this afternoon I think we
8 all recognize your good work and I think all of
9 the Senators' work.

10 Everyone participated in this process and
11 those who have been around, I know I was a part
12 of the last process as many of us were in this
13 room, this has been as advertised, the most
14 open, transparent, technologically advanced
15 reapportionment process and I think probably in
16 America, and especially in light of what we
17 have seen recently in California, in Texas, in
18 Illinois, that is a stark contrast with those
19 other states that I think all Floridians would
20 be proud of that effort.

21 And so when Speaker Cannon and I, of
22 course, asked you and Representative
23 Weatherford to handle this very difficult
24 process, we are incredibly grateful of the time
25 you put in personally, and most importantly,

1 all of the time put in by all of the Senators
2 on that effort.

3 And so it is with great pleasure I ask
4 Senator from the 4th to close on the Senate
5 maps as we get ready to send those over to the
6 House of Representatives.

7 So Senator Gaetz, you are recognized,
8 Senator from the 4th, to close on your Bill.

9 SENATOR GAETZ: Thank you very much,
10 Mr. President, and thank you all for your
11 support. And reserving the privilege to close
12 may I yield for a few moments to the Vice Chair
13 of our committee, President Margolis.

14 PRESIDENT HARIDOPOLIS: President
15 Margolis, Senator from the 35th, you are
16 recognized.

17 SENATOR MARGOLIS: Senator Gaetz, I
18 certainly appreciate the opportunity. I guess
19 John Guthrie and I have been through
20 reapportionment a couple of very dramatic
21 times. In the '80s, we went from multi member
22 districts to single member districts, heard the
23 same arguments that we heard today.

24 In the '90s, we adopted the Voting Rights
25 Act and as a result of the Voting Rights Act we

1 now have several black faces in the
2 Legislature.

3 Prior to that time there were two, and
4 just to give you some idea of what, what I have
5 gone through here. So now we have a new issue,
6 Article 5 and 6.

7 Now, let me tell you something. The
8 courts never throw out a whole plan unless it
9 is really vile plan, I mean, something
10 atrocious would have had to happen.

11 The courts deal with -- with issues within
12 -- within very, very small areas. They dealt
13 with the Corrine Brown issue at one time, it
14 was a re-vote, she won again or it was changed
15 a little bit, there was a re-vote, she won
16 again.

17 They haven't done very much as far as
18 telling us what to do. In 1992, when we did
19 reapportionment, I am just kind of giving you
20 some history, we had a 20/20 vote on the
21 Congressional Reapportionment. It wasn't
22 Legislative Reapportionment. It was
23 Congressional.

24 I personally on July 3rd, sent it to the
25 Supreme Court and said, you draw it, and they

1 did. Did they draw it any different than our
2 plan? Maybe some iota in one or two
3 Congressional Districts but it didn't change
4 very much. It really didn't change very much.

5 So I have had all of that experience.
6 Then I did the Dade County Reapportionment the
7 last, the last time because I was in Dade
8 County, but I have seen -- I have seen this a
9 lot, and number one, I, too, want to thank
10 Senator Gaetz because he has really, really
11 been an outstanding Chairman and really tried
12 to work within, with all of us to deal with the
13 problems that we thought we had with our
14 districts and this was uniform, everybody,
15 everybody was able to talk to the staff and try
16 and get problems resolved early.

17 So I want to tell you something. I sat
18 here through all of this conversation today and
19 I didn't hear any problems. I did not have one
20 person say, this is a particular problem that
21 has happened to me or has happened to my
22 district. I haven't heard that.

23 My district isn't everything that I love
24 but I love to have the district, it is a
25 wonderful district. It is a good one, and I am

1 pleased. I really am pleased. It is compact,
2 and I think -- I think the issue may be if
3 there is any problem with this map, which I
4 really can't see it, compactness in certain
5 areas might be an issue. So the courts will
6 look at it and they will draw a little change
7 here or there or they will send it back and say
8 we will take this little area and perhaps you
9 ought to rearrange the way this and this
10 happens, but that is what the courts do.

11 They don't take a whole map and rewrite
12 it. It doesn't happen that way. It really
13 doesn't happen that way. So, you know, as you
14 are thinking about it, understand that we all
15 did the best we can. We all sat through the
16 hearings, we all were very, very patient with
17 the Senator who kept calling more meetings and
18 more meetings and more meetings, and we
19 appreciate that, and certainly the people of
20 the state of Florida should appreciate that.

21 So all in all, without one specific issue
22 addressed today I can't see any reason in the
23 world not to start the process, not to
24 immediately start the process so the courts can
25 do their work, so if we have to do our work or

1 a little bit of work in the future we can, and
2 we can give the people of the state of Florida
3 the opportunity to know exactly what the
4 districts look like and that is the important
5 thing.

6 So good luck, folks, I think we are going
7 to have a good vote here today.

8 PRESIDENT HARIDOPOLIS: Thank you, Madam
9 President. Senator from the 4th, you are
10 recognized to close.

11 SENATOR GAETZ: Thank you very much,
12 Mr. President, and thank you for your kind
13 comments.

14 Let me begin by answering a question that
15 I don't think I fully answered that Senator
16 Dockery asked.

17 She asked about the community of Solivita
18 and why it was not kept together, and Senator
19 Dockery, the fact is that in our proposed
20 Committee Bill Solivita was split, but in the
21 Committee Substitute, thanks to the help and
22 guidance of the Supervisor of Elections,
23 Solivita is entirely in one Senate district.

24 So if I had led you to believe in my
25 answers that we were not sensitive to Solivita,

1 thanks to the Supervisor of Elections of Polk
2 County, we were.

3 Let me -- let me answer a couple of
4 comments that were made, and I answer them at
5 some length because they were made with great
6 sincerity.

7 We heard complaints from Senator Joyner,
8 complaints that were sincerely and passionately
9 laid out, complaints of packing. One would
10 believe in listening to her comments that our
11 proposals contained districts with black voting
12 age populations in excess of 60 or 70 percent,
13 but that is simply not true. Those aren't the
14 facts.

15 The facts are stubborn things, and our
16 Senate map contains only two majority
17 African-American districts and our
18 Congressional map which we will get to at the
19 President and the Chamber's pleasure, contain
20 only two majority African-American districts.

21 The Senate district with the largest
22 African-American population in the proposal
23 before you is District 38, at 58.3 percent.
24 The Congressional District with the largest
25 black population is District 17 at 56.3

1 percent.

2 Look at the maps and you will find that
3 these two districts both in Miami-Dade County
4 are among the most geographically compact
5 districts in the entire state of Florida. In
6 both districts, the African-American population
7 is less than in the benchmark plan. Let me say
8 that again.

9 In both of the districts the
10 African-American districts, the Senate District
11 and the Congressional District that are before
12 you today, there has been no packing. Indeed,
13 there actually are fewer African-Americans in
14 those districts going forward than there are
15 today, and less than in the plan filed in
16 Committee by Senator Rich.

17 And so therefore if packing occurred, if
18 there was an intent to pack and I don't believe
19 there was, Senator Rich actually has more
20 African-Americans in those districts than the
21 Committee plan does, and I would never, ever
22 suggest that Senator Rich's intent was to pack.

23 In Senator Rich's plan the black
24 population of the Congressional District was
25 56.6 percent, and the black population of the

1 Senate District was 63.5 percent. The
2 proposals before you today contain not one
3 district with an African-American population in
4 excess of 60 percent.

5 The charge of packing is factually not
6 true. Those who repeat the packing mantra seem
7 to consider all majority-minority districts as
8 packed. There is no support for this view in
9 this debate. There is no support for this view
10 in the plans before you.

11 Majority-minority districts are a common
12 staple of redistricting in this country. In
13 fact, three years ago the United States Supreme
14 Court ruled that Section II of the Voting
15 Rights Act protects only majority-minority
16 districts. Our Section II districts examples
17 of illegal packing, certainly not.

18 Sixty-six days after our November 1st
19 deadline for the submission of maps, the League
20 of Women Voters finally at the end with a
21 surprise submitted proposed maps that do
22 violence to existing minority opportunity
23 districts.

24 Let's take one example, and I dwell on
25 this point only because it is critical that as

1 you consider how you will vote, that you not
2 believe that there is any minority packing.

3 To take one example from the League's
4 proposed plan which came in as I said 66 days
5 after the deadline that we all agreed upon, the
6 League's Congressional plan would remove more
7 than 85,000 African-Americans from current
8 Congressional District 3 which has elected the
9 minority preferred candidate for 20 years, and
10 divide those 85,000 people among districts that
11 clearly do not have the ability to elect
12 minority preferred candidates.

13 In this one case alone, 85,000
14 African-Americans would have lost their
15 constituent relationship with an
16 African-American member of the United States
17 Congress. The league provided no voting rights
18 analysis to assure us that this momentous
19 change would not weakened minority voting
20 strength.

21 Worse of all, the League actually argues
22 that its plan would quote, create new
23 opportunities for minorities, end quote, but
24 when I look at the plan proposed by the NAACP,
25 which takes the approach that our maps take, I

1 conclude that the NAACP does not want the
2 quote, new opportunity that would come by
3 shifting minorities to districts where their
4 candidates would obviously be defeated.

5 The NAACP doesn't want that new
6 opportunity that the League would give them.
7 The Florida NAACP's map preserves the same
8 majority, minority districts that our proposal
9 preserves. I accept the Florida NAACP's
10 approach to minority districts and I have to
11 reject that of the League of Women Voters and
12 that the arguments of Senator Joyner who was
13 sincere and passionate, but inaccurate.

14 Nothing in the Constitution requires us to
15 dismantle districts that are barely
16 majority-minority and transfer them into other
17 districts.

18 Senator Smith talks about the practice of
19 the Senate and says that just because you don't
20 offer an amendment doesn't mean you are not
21 engaged in the process. Well, I have only been
22 here, this is now only my sixth year. Most of
23 you in this Chamber have far more experience in
24 the Legislature than I do, but I can give you
25 100 examples of where a member of the House or

1 the Senate, a Democrat or Republican offers an
2 amendment to a Bill, even if they believe the
3 amendment might fail, Senator Fasano is a
4 perfect example.

5 But hear this, now. Senator Fasano offers
6 amendments in order to raise issues in the
7 public square and make us all confront those
8 issues and make us vote on them. And so
9 therefore, I would say to Senator Smith, it is
10 well within the traditions and the practices of
11 this Senate to offer an alternative, even if
12 you are not quite sure that the alternative
13 would be accepted. Otherwise we would simply
14 be a rule by those who have offered the first
15 Bill and that is not the way we operate.

16 He quotes Justice Stewart, Senator Smith
17 does, saying that he can't define why he is
18 against something, only that he knows that he
19 is against it because that he sees that it is
20 bad.

21 Well, Senator Smith, I have a son and a
22 daughter, too, and I have had the supposed to
23 conversations with them more than once, but you
24 are supposed to offer alternatives. That is
25 why we have a deliberative process. You are

1 supposed to offer amendments. You are supposed
2 to bring your ideas into the public square and
3 let them be debated and examined and vetted by
4 people who have different opinions so that we
5 come out with the best answer in the end.

6 You are supposed to be constructive.
7 Senator Rich says that these maps are all too
8 familiar, that they are familiar to the 2002
9 maps. If that were true it would be a serious
10 question that ought to be on your minds, but
11 again, with all due respect to the Minority
12 Leader, the facts don't bear her out.

13 Instead, let's look at the facts. In the
14 2002 maps that we have now there are 22
15 counties that have only one district. In the
16 proposal before you, 36 counties have only one
17 district, a huge difference, an improvement.
18 Counties split into more than one district in
19 the 2002 maps, 45. In our maps, 31, a
20 substantial improvement.

21 The aggregate number of county splits have
22 gone down from 126 to 86. The aggregate number
23 of county splits with population have gone down
24 from 126 to 86. The cities split in the 2002
25 maps and far less in the maps that we have now.

1 Cities split into more than one district,
2 126, in the foundational plan or the 2002 plan,
3 54 in the plan before you. Average or rather
4 aggregate number of city splits, 300 in the
5 plan that we operate under now, just a shade
6 over 100 in the plan that is before you.

7 These are not the 2002 maps. These are
8 better than the 2002 maps, substantially,
9 materially better and different, and Leader
10 Rich's analysis, with all due respect to her
11 great passion and her dedication to this issue,
12 her analysis is factually wrong.

13 When Amendments 5 and 6 were being debated
14 during the 2010 election, proponents said how
15 easy it would be to implement them. I remember
16 one advocate in a forum that I attended said,
17 like falling off a low log, that easy. I
18 wouldn't say so and neither would Leader Rich
19 who tried with the help of her party and
20 nationally reputed demographers to fashion an
21 alternative to the Committee Bill.

22 She worked hard to draw maps that would be
23 more compliant with Amendments 5 and 6, more
24 faithful to the goal of fair districts, no one
25 wanted an alternative plan more than Senator

1 Rich. If anyone could have developed an
2 alternative that was convincing and more
3 compliant with the law, it would have been
4 Senator Rich and those working with her.

5 She engaged in the process. She didn't
6 sit on the side lines. She had the integrity
7 and the courage to enter the public square and
8 offer her plan. She withdrew it, not for lack
9 of commitment or lack of trying, but because,
10 as she said, her plan had some problems. It
11 just didn't work.

12 In the abstract it may be easy, but in
13 reality it is hard to reconcile the competing
14 interests of Amendments 5 and 6, protecting
15 minority voting rights, but not having the
16 intent to favor or disfavor incumbents or
17 political parties, compactness or following
18 natural boundaries that are often squiggly
19 lines.

20 Have you looked at the rivers of Florida?
21 Optically pleasing geometry or following city
22 boundaries, city maps that can often look like
23 Rorschach bots. The Committee has interpreted
24 Amendments 5 and 6 the same way the NAACP and
25 the Latino and Hispanic Justice groups have

1 interpreted them and no alternative has been
2 offered which passes muster with the
3 Constitutional requirements to not diminish the
4 ability of minority groups to elect
5 representatives of their choice.

6 In fact, no alternative has been offered
7 at all. Thirty-two, times, thirty-two times
8 our Committee asked those who sponsored
9 Amendments 5 and 6 to join constructively, to
10 engage in a search for solutions.

11 Some responded, like the NAACP, the Latino
12 and Hispanic groups and Democratic and
13 Republican Senators on this floor engaged and
14 offered their insights and helped us develop
15 better maps. Their criticisms or suggestions
16 and proposals have made the Committee proposal
17 before you better, fairer, but some did not
18 respond.

19 Apparently unwilling to expose their
20 proposals to public scrutiny in fair and open
21 debate in committee or on this floor. One
22 organization, the most strident voice for early
23 deadlines didn't show up with its own plan
24 until more than 60 days after unanimously
25 agreed deadline.

1 Why not? What were they afraid of? And
2 even that last minute surprise proposal was so
3 flawed that not one Democrat, not one
4 Republican would introduce it as an amendment,
5 no one would put their names next to it, it was
6 so flawed, but we have seen the positive
7 affects of Amendments 5 and 6. We have seen
8 the positive affects those amendments have had
9 on redistricting.

10 The proposed districts do not undermine,
11 rather they protect minority voting rights.
12 The proposed districts as I have tried to
13 demonstrate, are more compact, far more closely
14 follow political and natural boundaries than
15 ever before and we went through everyone of
16 those boundaries with you, and keep whole many
17 more counties and hundreds more cities than
18 ever before.

19 Is the Committees's plan infallible?
20 Hardly. Is it constitutional? Absolutely.
21 Have the cynics and the critics so free with
22 their criticisms in the press come forward with
23 any alternative they are willing to show to the
24 public and defend on this floor? No, they
25 haven't, and so now we come to the vote.

1 If there were an alternative I would
2 understand that it might have supporters who
3 would vote for it. Amendments, alternatives
4 are offered every day in this Senate. The plan
5 before you is not a Republican plan or a
6 Democratic plan, though both Democrats and
7 Republicans have helped fashion it with their
8 suggestions, their criticisms and their
9 insights.

10 This is truly a non-partisan plan,
11 blending the insights of members of both
12 parties and informed as the President said, by
13 the most inclusive transparent and open
14 redistricting process of any state in any year.
15 And so the vote we will now take is not a
16 Democratic vote, and it is not a Republican
17 vote. This is truly a non-partisan vote.

18 This is a vote for fairness. So with
19 thanks and respect to the members of the
20 Reapportionment Committee, Democrats and
21 Republicans, Senator Rich and Senator Gardiner,
22 and certainly President Margolis.

23 With thanks and respect for all of their
24 efforts I ask for a favorable vote on the
25 pending legislation.

1 Thank you, Mr. President.

2 PRESIDENT HARIDOPOLIS: The Secretary will
3 unlock the board and Senators will prepare to
4 vote. Have all Senators voted? Have all
5 Senators voted? Lock the board and record the
6 vote.

7 THE SECRETARY: Thirty-four yeas, six
8 nays, Mr. President.

9 PRESIDENT HARIDOPOLIS: And by your vote,
10 CS/SJR 1176 passes. Read the next Bill.

11 THE SECRETARY: Committee Substitute for
12 Senate Bill 1174, a Bill to be entitled an act
13 relating to establishing the Congressional
14 District of the state.

15 PRESIDENT HARIDOPOLIS: Senator from the
16 4th, you are recognized on the Bill.

17 SENATOR GAETZ: Thank you, Mr. President.
18 We now are on Committee Substitute for Senate
19 Bill 1174, which is the Congressional
20 redistricting plan.

21 If we compare the current Congressional
22 plan, if we compare the Congressional map in
23 Senate Bill 1174 with current districts or what
24 we call the benchmark districts, it is obvious
25 that Amendment 6 made a difference.

1 The new map decreases the number of split
2 counties. The current plan that we have kept
3 37 counties whole in a single Congressional
4 District. The Committee Substitute before you
5 keeps 43 counties whole. It is a better plan.

6 The new map decreases the number of split
7 cities. There were 110 split cities in the
8 benchmark or current plan. There are 45 in the
9 new plan, a decrease of split cities of more
10 than 50 percent.

11 The new district lines better follow
12 county and city boundaries as well as
13 geographic boundaries, like water bodies and
14 major roads. Relative to Senate Bill 1174, the
15 Committee Substitute has filed, the Committee
16 incorporates feedback from the public and
17 importantly from Supervisors of Elections.

18 Specifically the Committee Substitute
19 removes coastal Charlotte County from a rural
20 District, modifies the boundary of a Hispanic
21 opportunity District in central Florida and
22 adjusts the boundaries of districts in the
23 Tampa Bay area and in Alachua County.

24 Based on direction provided at our
25 January 11th committee meeting, and on

1 technical input from the Clay County Supervisor
2 of Elections, professional committee staff
3 prepared an amendment which is Bar Code 236642
4 to correct minor deficiencies.

5 Mr. President, with your permission I
6 would like to explain the Bill in the context
7 of that technical amendment.

8 PRESIDENT HARIDOPOLIS: Well, let's first
9 take up the technical amendment. Without
10 objection read the amendment.

11 THE SECRETARY: Bar code 236642 by Senator
12 Gaetz, delete lines 309 through 16 -- I mean,
13 through 6314.

14 PRESIDENT HARIDOPOLIS: Senator from the
15 4th, you are recognized to explain the
16 amendment.

17 SENATOR GAETZ: Thank you, Mr. President.
18 This is a technical amendment based on input
19 from the Clay County Supervisor of Elections,
20 and also from two of the members of our
21 Committee.

22 The first part of the amendment addresses
23 a concern raised by Senator Sobel and Senator
24 Bullard and rejoins Opa Locka Airport with the
25 City of Opa Locka. No population, no voters,

1 no people are affected by this change.

2 Second, the amendment better follows
3 actual municipal and geographic boundaries
4 around Green Cove Springs, making the
5 recommended changes causes no net change in
6 population, 16 people are moved into District
7 6, 16 people are moved out of District 6, based
8 on precise technical feedback from the
9 Supervisor of Elections and that is the
10 amendment.

11 PRESIDENT HARIDOPOLIS: Questions on the
12 amendment? See no questions, the amendment is
13 adopted.

14 We are now on the Bill as amended.
15 Senator Gaetz, you are recognized to further
16 explain the Bill.

17 SENATOR GAETZ: Thank you, Mr. President.
18 With your permission we will go through each of
19 the districts, one by one so that you will
20 understand those districts and how they are
21 configured.

22 Congressional District 1 contains the four
23 western most counties of the panhandle,
24 Escambia, Santa Rosa, Okaloosa and Walton. To
25 achieve the ideal population the district also

1 includes the western part of Holmes County.

2 And here, Senators, it is important to
3 understand a difference that relates back to a
4 question that Leader Rich asked. I believe
5 that she asked the question as to whether or
6 not Senate Districts in the Bill that have just
7 passed were equal.

8 My answer was they were approximately
9 equal, but we have a little bit of room. We
10 have taken less than one percent difference,
11 whereas with Congressional Districts,
12 Mr. President, there the Supreme Court has
13 found and the courts of competent jurisdiction
14 under the Supreme Court have found that
15 anything that really is different at all in
16 population as between one district and another
17 constitutes less than a one person one vote
18 compliance with the law.

19 So to give you an example, Congressional
20 Districts that have differed by as few as 11
21 voters have been declared unconstitutional and
22 sent back to the Legislature of some states, of
23 a state, I believe it was Georgia, to be fixed.

24 So to achieve ideal population, to achieve
25 the one man, one person, one vote compliance,

1 it is necessary in some cases to split
2 counties, but only in order to achieve that
3 constitutionally required one person one vote
4 population.

5 Nearly the entire perimeter of
6 Congressional District 1 consists of political
7 and geographic boundaries. The district
8 contains 21 whole cities and splits no cities.

9 Because Congressional Districts contain
10 substantially larger populations than Senate
11 Districts, we did not use an east/west
12 panhandle configuration in the Congressional
13 map.

14 Instead, moving from west to east we
15 preserved counties whole as requested in our
16 public hearings in Pensacola and Ft. Walton
17 Beach. Lynn Laird, Jeff Bergosh, Marilyn
18 Bodessa, Gail Honea, Ed Winkelseth, Gail
19 Jacobson and Albert Perez who all attended
20 those hearings, representing a wide variety
21 ever political opinions in the panhandle, each
22 requested notwithstanding their different
23 political philosophies, a whole county
24 configuration for the panhandle Congressional
25 maps.

1 The more compact configuration which the
2 Committee recommends now before you for
3 District 1 eliminates the long finger of
4 another district that stretches across three
5 counties all of the way to my community of
6 Niceville.

7 Several of the publicly submitted maps
8 contain a similar district in the western part
9 of the panhandle. These were maps submitted by
10 Sean Phillippi, by Jeffery Carmen, John Libby
11 and Matthew Boyle. We used those maps as the
12 basis for our proposed Congressional District
13 number 1.

14 Congressional District number 2,
15 Mr. President, proceeds east across the
16 panhandle. It contains 12 whole counties from
17 Bay and Washington on the west, to Taylor on
18 the east. It also includes the eastern part of
19 Holmes County, and again, to achieve the
20 constitutionally required equal population,
21 western Madison County.

22 Like the boundaries of District 1, the
23 boundaries of District 2 consist almost
24 entirely of political and geographic
25 boundaries. The district contains 43 cities

1 and splits no cities. This district eliminates
2 a finger as well that currently extends from
3 Tallahassee to Niceville, a distance of nearly
4 150 miles.

5 At our public hearing in Tallahassee we
6 heard testimony in opposition to the current
7 non compact configuration, and you will see
8 when you look at Congressional District 2 that
9 we heeded that testimony.

10 District 2 also gives effect to public
11 testimony in Panama City, requesting that
12 counties such as Gadsden and Bay be kept whole.
13 We reduced the number of divided counties in
14 District 2 from six as we presently have, to
15 two.

16 The district follows the alignment of
17 District 2 in the map submitted by Sean
18 Phillippi who is a Broward County citizen, but
19 took a substantial interest in how the
20 panhandle was to be mapped and configured.
21 District 2 also unites similar rural Florida,
22 north Florida interests.

23 District 3 preserves the core of an
24 existing minority opportunity District. It
25 satisfies the mandate of the Constitution and

1 the unanimous agreement of the Committee that
2 2012 redistricting not diminish the ability of
3 minorities to elect candidates of their choice.

4 The black voting age population of the
5 proposed District 3 is 50 percent compared to
6 49.9 percent in the current District 3, hardly
7 packing. District 3 also finds support in
8 traditional race neutral or redistricting
9 principles.

10 It combines communities in northeast
11 Florida with similar socioeconomic
12 characteristics. These communities include
13 portions of Jacksonville, Gainesville, Sanford,
14 Apopka and Orlando and all of Palatka and Green
15 Cove Springs.

16 We took care to ensure that race neutral
17 principles were not subordinated to
18 considerations of race. Especially noteworthy
19 are the submissions of the NAACP and Latino
20 Justice regarding this District and their
21 timely and constructive participation in this
22 process.

23 These organizations responded to the
24 Committee's invitation to engage directly in
25 drawing districts. District 3 is among the

1 districts that rely heavily on maps and
2 testimony submitted by the NAACP and Latino
3 Justice.

4 We heard testimony, Mr. President, at our
5 public hearings in Orlando and Jacksonville,
6 including testimony from Glorious Johnson, a
7 former Jacksonville City Council member and
8 former National NAACP, Chairman Ben Chavis,
9 that the Legislature should not diminish adult
10 voting age population in Congressional District
11 three. The Committee's proposal accomplishes
12 this goal.

13 Frankly, we also heard testimony in
14 opposition to District 3's configuration. Some
15 asked us to dismantle it. Others would
16 weakened its ability to elect a minority
17 preferred candidates. As Senator Lynn
18 indicated in her remarks earlier, some of the
19 geometry of some districts makes one kind of
20 scratch one's head, but when you look at the
21 Constitutional requirements for not diminishing
22 minority access, then you have to conclude that
23 the plan that is before you is preferable.

24 For example, and by comparison, the plan
25 submitted by the League of Women Voters, albeit

1 a plan that was submitted late and therefore
2 could not be considered because not one single
3 member was willing to offer it as an amendment,
4 that plan would remove approximately 70,000
5 African-Americans of voting age from District 3
6 and these proposals would elevate aesthetics
7 over the protection of minority voting
8 opportunities, inverting the order of priority
9 established unanimously by our Committee and
10 established by the Constitution of the State of
11 Florida, and that is Congressional District 3.

12 District 4 occupies the northeast corner
13 of the state. Except where District 3 enters
14 Duval County, District 4 follows county
15 boundaries along its entire perimeter. We
16 received numerous requests at our public
17 hearing in Jacksonville that Baker and Nassau
18 Counties be kept whole.

19 A representative of the Baker County
20 Chamber of Commerce testified at our Committee
21 meeting on December 6th, to the same effect.

22 This district responds to that
23 overwhelming public testimony and preserves
24 Baker and Nassau Counties whole. This district
25 also eliminates another finger that currently

1 runs from Duval to Leon County, to literally to
2 the steps of the Capitol. By increasing the
3 district's share of populous Duval County we
4 have decreased its geographic reach, making the
5 district much more compact.

6 While current District 4 has a perimeter
7 of 739 miles, the proposed District 4 has a
8 perimeter of 451 miles, a 40 percent increase
9 in compactness.

10 Though the district splits the large
11 municipality of Jacksonville in order to
12 respect District 3 as a minority access
13 district, every other city in Congressional
14 District 4 is kept whole.

15 Congressional District 5 combines
16 neighboring Pasco and Hernando Counties in
17 their entirety. To achieve the legally
18 required equitable population it also includes
19 about 60,000 people in Polk County.

20 District 5 closely follows political and
21 geographic boundaries. In fact, county
22 boundaries constitute nearly 90 percent of the
23 district's perimeter.

24 At our public hearing in Wesley Chapel,
25 seven people, including Brian Corley, the

1 Supervisor of Elections of Pasco County,
2 supported a Congressional District
3 configuration that kept these similarly largely
4 rural communities together.

5 Substantial testimony at Wesley Chapel
6 emphasized the similarities linking the rural
7 portions of Hernando and Pasco Counties and
8 further testimony urged a Congressional
9 District which would allow Pasco County to
10 influence Congressional elections or to elect
11 one of their own to Congress.

12 The Committee's proposal responds to those
13 concerns by uniting neighboring counties with
14 similar rural and agricultural interests and by
15 confining the district within a geographically
16 concentrated area.

17 Congressional District 6 combines the
18 largely rural and agricultural areas of north
19 Florida. It includes nine whole counties,
20 Hamilton, Columbia, Suwannee, Lafayette, not
21 Lafayette, but Lafayette, Dixie, Gilchrist,
22 Levy, Union and Bradford and parts of four
23 others.

24 More than 90 percent of the district
25 perimeter consists of political or geographic

1 boundaries, compared to less than two-thirds of
2 the perimeter of the current District 6. On
3 the north District 6 runs along the border with
4 Georgia. On the south it meets the Gulf of
5 Mexico, elsewhere it follows county boundaries.
6 In Marion County it follows Interstate 75, the
7 Ocala City line and State Road 200.

8 At the Gainesville hearing the Committee
9 was urged to keep the smaller rural counties of
10 the area, such as Bradford, Clay, Gilchrist and
11 Union Counties in a separate district from
12 Orlando and Jacksonville.

13 Public testimony at our Gainesville
14 hearing also supported placing the Santa Fe
15 River and the Suwannee River areas in the same
16 Congressional District. So the proposed map
17 for Congressional District 6 responds to this
18 public testimony, preserving the small rural
19 counties in a separate district and providing
20 local representation for their interests.

21 The Committee relied upon a publicly
22 submitted map by Alex Posada and it was map
23 number 133 in developing District 6 boundaries.

24 District 7 contains the area east of
25 District 3, the minority opportunity district.

1 District 7 contains all of St. Johns and
2 Flagler Counties, the portion of Putnam County
3 that is not in 3, and as much of Volusia County
4 as necessary to again achieve the legally
5 required population for a Congressional
6 District.

7 The proposed district compares favorably
8 to current District 7. Current District 7
9 contains no whole counties compared to two
10 whole counties in proposed District 7. Current
11 District 7 splits ten cities, proposed District
12 7 splits only one city.

13 Current District 7 utilizes political and
14 geographic boundaries a long two-thirds of its
15 border, proposed District 7 follows political
16 and geographic boundaries along 90 percent of
17 its perimeter.

18 District 7 also implements the testimony
19 we received in St. Augustine and Daytona Beach.
20 Six members of the public requested that
21 Flagler and St. Johns Counties be placed in the
22 same district. We also received testimony
23 about the commonalities of the coastal
24 communities in northeast Florida.

25 The district responds to this testimony by

1 combining similar communities, not only in
2 Flagler and St. Johns, County but along the
3 east coast.

4 District 8 includes portions of Orange,
5 Polk and Lake Counties. In Orange County the
6 district includes the area between two minority
7 opportunity districts, 3 and 27. It then
8 extends to Lake County toward the Florida
9 turnpike, into Polk County along Interstate
10 four.

11 The Committee's proposal for Congressional
12 District 8 carefully respects cities
13 boundaries.

14 Page, could you come over here a moment?
15 The Committee's proposal for Congressional
16 District 8 carefully respects the city
17 boundaries. The district boundary in Lake
18 County navigates between Mascotte, Groveland,
19 Howey-in-the-Hills, and Astalula, which are
20 outside of the district and Clearmont, Minneola
21 and Monteverde which are within the district.

22 In Orange County the district boundary
23 closely follows city boundaries. Despite the
24 close proximity of many small cities in this
25 area, District 8 contains 14 whole cities and

1 only five partial cities, and three of the
2 partial cities were split along the boundary
3 with District 27, a Hispanic opportunity
4 district.

5 District 9 unites northern Pinellas and
6 northern Hillsborough Counties. By any measure
7 it shows significant improvement over the
8 current District 9. Current District 9 splits
9 seven cities.

10 Proposed District 9 splits but two cities.
11 Current District 9 protrudes into Pasco County.
12 Proposed District 9 follows the Pinellas and
13 Hillsborough lines for the entire length of its
14 northern boundary and does not invade Pasco.

15 Current District 9 has a perimeter of 284
16 miles. Proposed District 9 has a perimeter of
17 185 miles, a 34 percent increase in
18 compactness. Current District 9 follows
19 political and geographic boundaries for barely
20 half of its perimeter, proposed District 9
21 follows political and geographic boundaries for
22 80 percent of its perimeter.

23 We ought to bear in mind, Senators, that
24 the shape and location of District 9 are
25 influenced by the shape and location of

1 District 11.

2 District 11 is within one of the five
3 counties covered by Section 5 of the Federal
4 Voting Rights Act and has a substantial
5 minority population.

6 District 10 is contained entirely within
7 one county, Pinellas County, and it wholly
8 preserves 19 cities within Pinellas County.

9 The district divides only two cities, both
10 on its border with District 11, a minority
11 opportunity district. Almost the entire
12 perimeter of District 10 consists of political
13 and geographic boundaries.

14 At our Largo meeting we heard from six
15 individuals, including Rich Piper, a professor
16 emeritus of government at the University of
17 Tampa who urged us to create one Congressional
18 District based entirely in Pinellas County and
19 this district does exactly that.

20 Congressional District 11 preserves the
21 core of an existing minority opportunity
22 district and ensures that minority voters,
23 African-American and Hispanic in the Tampa Bay
24 area will continue to have a voice in the
25 Congress.

1 Like the current district, proposed
2 District 11 contains a combined minority voting
3 age population of 53 percent, 27 percent
4 African-American and 26 percent Hispanic.

5 District 11 as we have proposed it
6 includes part of Hillsborough County which is
7 one of the five counties covered by Section 5
8 of the Federal Voting Rights Act. Section
9 five, as you know, prohibits retrogression in
10 the ability of minorities to elect candidates
11 of their choice.

12 District 11 is also based on traditional
13 race neutral redistricting principles. We have
14 increased the use of political and geographic
15 boundaries in the construction of District 11.
16 In the existing district barely half of the
17 perimeter of District 11 consisted of political
18 and geographic boundaries. That proportion
19 increases to about three-fourths in this
20 proposal.

21 In both Tampa and Largo, we heard from
22 members of African-American and Hispanic
23 advocacy groups who passionately advocated for
24 the interests of their minority communities.

25 The Committee's proposed District 11 conforms

1 to that testimony and to the requirements of
2 Federal and State law and the Committee's
3 unanimous consent guidelines. I yield to
4 Speaker Thrasher.

5 PRESIDENT HARIDOPOLIS: Senator Thrasher,
6 you are recognized.

7 SENATOR THRASHER: Thank you, members, we
8 are on Congressional District number 12. The
9 Committee's intention with District 12 is to
10 recognize that the rural agricultural
11 Congressional District in the interior and the
12 state is an appropriate configuration for a
13 Congressional District.

14 This district combines similar interests
15 of Glades, Okeechobee, Highlands, DeSoto,
16 Hardee Counties and the rural areas of
17 Charlotte, Polk, Hillsborough, Manatee, Lee and
18 Sarasota Counties.

19 The initial Committee Bill introduced on
20 December 6th, District 12 extended to the Gulf
21 of Mexico and Charlotte County public input and
22 comment was, urged the Committee to remove
23 western Charlotte county which is urban from
24 District 12. The Charlotte Sun Herald made the
25 same point.

1 The Committee heeded to these comments and
2 the Committee Substitute which exchanged
3 western Charlotte County for the eastern and
4 more rural parts of the, of Manatee and
5 Sarasota Counties. Interstate 75 became a
6 convenient boundary on the west side of the
7 district.

8 In Wachula we heard extensive testimony in
9 favor of keeping rural communities together.
10 Similarly, we heard testimony in Orlando
11 suggesting that the Okeechobee area belongs to
12 the more rural counties, District 12 is
13 faithful to this testimony.

14 Unlike District 16, the proposed district
15 does not connect interior counties with the
16 east coast.

17 Congressional District 13. This district
18 unites the coastal communities between Tampa
19 Bay and Charlotte Harbor. It follows
20 Interstate 75 and the city boundary of North
21 Port on the east and the Charlotte County line
22 on the south.

23 Proposed district lines were modified in
24 response to public comment received after the
25 introduction of the Committee Bill and as we

1 discussed, we heard that urban eastern
2 Charlotte County should be a coastal district
3 and not a rural district and not a rural
4 interior district.

5 This proposal gives effect to the wishes
6 expressed by the public in response to the
7 publication of our initial Committee Bill.

8 District 13 also is responsive to the
9 public testimony at our Sarasota hearing
10 requesting that Sarasota and Manatee Counties
11 be contained in the same district.

12 This proposal combines the more densely
13 populated portions of Sarasota and Manatee
14 Counties, for portions west of Interstate 75 in
15 a single district.

16 Additional public testimony at the
17 Sarasota hearing pointed out the similarities
18 of the coastal communities. In Sarasota and
19 Charlotte Counties, District 13 ties these
20 communities together as well. District 13 is
21 faithful to the political and geographical
22 boundaries which comprise more than 90 percent
23 of the district boundary.

24 The most significant exception is to the
25 north where a minority opportunity District,

1 District 11, extends into the Manatee County.

2 District 14, this district contains the
3 southwest coast of Florida. It includes eight
4 cities, including Bonita Springs, Cape Coral,
5 Ft. Myers and Naples and does not divide any
6 cities.

7 In Collier County the western boundary of
8 District 14 is defined by District 21, a
9 minority opportunity district that comes within
10 the protection of Section 5 of the Voting
11 Rights Act.

12 In Naples the Committee heard testimony
13 from citizens who asked that the interest of
14 the west coast be represented by a member of
15 Congress based upon, in the west coast.
16 Similarly, the Committee heard testimony in
17 Lehigh Acres, public hearing arguing that the
18 communities along the coast had a shared
19 interest that was divergent from more inland
20 communities such as Lehigh Acres. This
21 district ensures west coast representation,
22 these like minded communities.

23 Congressional District 15, District 15 is
24 the Space Coast District. At the Melbourne
25 hearing the Committee heard testimony from many

1 individuals, including Stewart Gorin, Karen
2 Dove, Diane Marcum requesting that Brevard
3 County and the Space Coast area should be one
4 Congressional District and not divided.

5 In response to the Committee's proposed
6 District 15, in that response, the Committee's
7 proposed District 15 includes all of Brevard
8 and Indian River Counties, and a small part of
9 Orange County.

10 District 15 makes extensive use of
11 political and geographical boundaries with a
12 90 percent of its perimeter consists of
13 political or geographical boundaries.

14 One effect of the Committee's -- one
15 effect of the Committee's respect for political
16 and geographical boundaries is that cities and
17 counties are kept intact to the greater degree
18 than before. Current District 15 divides five
19 counties and ten cities, while proposed
20 District 15 divides only one county and no
21 cities.

22 The design of District 15 promotes
23 effective representation. It is not only -- it
24 not only combines similar communities, but
25 contains travel routes such as Interstate 95,

1 U. S. Highway No. 1, State Road A1A and that
2 unite the district from north to south.

3 The proposed district reflects the
4 submission of Michael Danish, who's map, 042
5 contains a nearly identical district.
6 Following the Committee's publication of its
7 proposed map for the district, the Committee
8 received numerous e-mails and messages from
9 individuals living in the area, commenting
10 favorably on the district's configuration in
11 relation to Brevard County and the wider Space
12 Coast region.

13 District 16. District 16 combines St.
14 Lucie, Martin Counties with southwest
15 Okeechobee and northeast Palm Beach counties.
16 This district eliminates the current districts,
17 unasthetic connection between the Treasure
18 Coast and the interior of the state, across to
19 Charlotte Harbor.

20 The Committee received extensive testimony
21 that the Treasure Coast communities be grouped
22 together because of their shared interest in
23 coastal concerns. The current district divides
24 five counties, while the proposed district
25 divides two.

1 This proposal also reduces the district's
2 area from 5,250 square miles to 2,000 square
3 miles, and its perimeter from 616 miles to
4 232 miles. From these numbers it becomes clear
5 that the proposed district is far more
6 concentrated and respectful of political
7 subdivisions than the current district.

8 At our hearing in Stuart the Committee,
9 the Palm Beach County Commission sent an
10 official communication emphasizing that the
11 residents in northern Palm Beach County share
12 common interests and should be in the same
13 district with residents of Martin County.

14 District 17 preserves the core of an
15 existing minority opportunity district in the
16 Miami-Dade and Broward Counties. District 17
17 ensures consistent with Amendment 6, that the
18 ability of minorities to elect candidates of
19 their choice is not diminished.

20 Like the current district, proposed
21 District 17 is a majority African-American
22 District with a black voting age population of
23 56.3 percent. It is also clear that
24 traditional race neutral redistricting
25 principles were not subordinated to the

1 considerations of race.

2 The district is geographically
3 concentrated, preserves the core of an existing
4 district and thus provides continuity,
5 continuity of representation and unites
6 neighborhoods of similar characteristics,
7 Interstate 95, US Highway 1 facilitate travel
8 through the district.

9 District 17 follows city boundaries and
10 major roadways for a considerable extent of its
11 perimeter. In fact, proposed District 17 more
12 than triples the proportion of the district
13 perimeter that utilizes political boundaries.

14 In Miami the representatives of several
15 advocacy groups, including ethnic
16 organizations, low income housing groups,
17 homeowners associations spoke in favor of
18 drawing a district similar to the Committee's
19 proposed map for District 17.

20 Additionally, the Committee heard
21 extensive testimony from individuals at our
22 southeast public hearings that urged the
23 maintenance of both African-American and
24 Hispanic voting opportunities in the region.

25 District 18, Congressional District 18

1 preserves the core of an existing Hispanic
2 opportunity district that receives protection
3 from Section 5 of the Federal Voting Rights
4 Act.

5 The proposed district includes coastal
6 Miami, Miami-Dade County and the Florida Keys.
7 District 18 has a Hispanic voting age
8 population of 70 percent, comparable to the
9 existing district. It also combines in a
10 single district populations with similar
11 cultures and language.

12 The district also follows political and
13 geographical boundaries for nearly the entire
14 extent of its perimeter. It carefully follows
15 the city boundaries of Homestead, Cutter Bay,
16 Palmetto Bay and extensively utilizes well
17 known roads, such as the Homestead Extension,
18 the Florida turnpike, US Highway 1 in
19 Miami-Dade County.

20 This district reflects public input
21 received at the public hearings and in the form
22 of publicly submitted redistricting maps. At
23 the south Miami hearing 15 speakers requested
24 that we maintain or increase the number of
25 Hispanic majority districts. Another 15

1 individuals at the Miami public hearing urged
2 the maintenance of minority opportunities in
3 the region.

4 Two public submissions, those of Andrew
5 Casademunt and Virginia Hitchcock, one was map
6 number 050, and the other was map 049 were used
7 by the Committee in developing proposed
8 District 18.

9 Congressional District 19 contains areas
10 in Palm Beach and Broward Counties from
11 Wellington to Coral Springs. The district is
12 bordered on three sides by a minority
13 opportunity District, District number 23, that
14 is protected by Section 5 of the Federal Voting
15 Rights Act.

16 The boundaries of the proposed district
17 are straighter and more faithful to the
18 political and geographical boundaries than
19 those of the current District 19.

20 First, while the district's area increased
21 from 134 to 264 square miles, its perimeter
22 decreased significantly from 191 to 116 miles.

23 Second, the use of political and
24 geographical boundaries increased from about
25 one-third of the district's perimeter to more

1 than one half. The District is also responsive
2 to public testimony.

3 Following the publication of the
4 Committee's proposed maps we received -- the
5 Committee received only positive input on how
6 Palm Beach County is treated in the proposal
7 before you.

8 Ashley Wingate and Cathleen Brandenburg,
9 Brandenburg's written testimony is illustrative
10 of this support. The district also unites
11 similar communities along familiar routes of
12 travel, the Florida turnpike and U. S. Highway
13 441.

14 Congressional District 20 occupies
15 southern Broward County and coastal portions of
16 Miami-Dade County. The shape and location of
17 District 20 are substantially influenced by
18 adjacent districts on the northwest and the
19 south.

20 District 20 is surrounded by four minority
21 opportunity districts, District 17, 18, 21 and
22 23, two of which are protected by Section 5 of
23 the Voting Rights Act, Districts 21 and 23.

24 District 20 is an excellent example of the
25 Committee's increased utilization of political

1 and geographic boundaries. Current District 20
2 follows political boundaries for one quarter of
3 its perimeter.

4 Proposed District 20 follows political
5 boundaries for nearly two-thirds the its
6 perimeter. Proposed District 20 follows the
7 boundaries of 14 cities. Also the Committee
8 heard testimony at the Davie hearing requesting
9 that Davie and Cooper City be placed in the
10 some Congressional District.

11 District 20 combines those cities to an
12 extent that is consistent with the preservation
13 of minority opportunities in adjacent
14 districts.

15 District 21 is one of two majority
16 Hispanic districts that includes territory
17 covered by Section 5 of the Federal Voting
18 Rights Act. It is a Hispanic voting age
19 population of 71.3 percent.

20 The district includes parts of Hendry,
21 Collier Counties which are among the counties
22 to which non retrogression standards of Section
23 5 applies, and parts of Broward and Miami-Dade
24 Counties between Interstate 75 and State Road
25 41.

1 The Committee directed the professional
2 staff to avoid any retrogression in minority
3 voting rights that might result in the denial
4 of pre-clearance by the U.S. Department of
5 Justice.

6 To avoid retrogression the district
7 includes that portion of Collier County that is
8 currently a majority Hispanic District.
9 Consistent with traditional race neutral
10 redistricting principles, District 21 combines
11 communities of similar cultures and language
12 and uses political and geographical boundaries.

13 In Naples the Committee heard testimony
14 from Hispanic advocacy groups requesting that
15 the Committee preserve the voting rights of the
16 Hispanic community in Collier County.

17 The district responds to that testimony by
18 uniting Hispanic communities in Collier County
19 in a single district with the Hispanic
20 communities of Miramar and Hialeah.

21 The Committee also received testimony at
22 the Miami public hearing that Hialeah, Hialeah
23 Gardens, Miami Lakes and Medley share many of
24 the same services and have some of the same
25 needs, like the enterprise zones and

1 historically under utilized business zones that
2 are best addressed by being combined in a
3 distinct district. The majorities of these
4 communities are all located in proposed
5 District 21.

6 District 22 unites coastal communities in
7 Palm Beach, Broward and Broward Counties. Its
8 shape and location are determined largely by
9 District 23, a minority opportunity district
10 protected by Section 5 of the Voting Rights
11 Act.

12 The boundaries of District 22 are more,
13 are straighter, more faithful to the political
14 and geographical boundaries of those of current
15 District 22. This proposal decreases the area
16 of the district from 499 to 382 miles,
17 decreases the district perimeter from 379 to
18 212 miles and utilizes political and
19 geographical boundaries along nearly two-thirds
20 of its perimeter, compared to less than half in
21 the current District 22.

22 More than a dozen people testified in Boca
23 Raton that the coastal communities of southeast
24 Florida had different needs and concerns than
25 the inland communities. This district also

1 reflects the district proposed by the Florida
2 NAACP in map 0154.

3 District 23. District 23 preserves the
4 core of an existing minority district. This
5 district has a black voting age population of
6 51.8 percent. This is in harmony with the
7 extensive public testimony we received
8 throughout our southeast Florida public
9 hearings requesting that we preserve minority
10 opportunities within the region.

11 District 23 is protected by Section 5 of
12 the Federal Voting Rights Act because the
13 current district includes portions of Hendry
14 County, one of Florida's five covered counties.

15 While the district preserves without
16 diminution the ability of minority voters to
17 elect the candidates of their choice, it also
18 reflects the application of race neutral
19 redistricting principles.

20 The district is more concentrated
21 geographically. It no longer includes portions
22 of Martin and St. Lucie Counties, but is
23 limited to Hendry, Palm Beach and Broward
24 Counties. The Committee decreased its area
25 from 3,703 to 2,690 miles and its perimeter

1 from 605 to 427 miles.

2 The Committee also increased the
3 utilization of political and geographic
4 boundaries from about two-fifths to about
5 three-fifths of the district perimeter. The
6 Florida NAACP submitted a proposal within a
7 similar district with one exception.

8 The Florida NAACP district, like the
9 current district, included territory north of
10 Palm Beach County. The Committee believes that
11 the proposed District 23 is faithful to the
12 spirit of the District proposed by the Florida
13 NAACP and we again thank the Florida NAACP for
14 its constructive participation in the process.

15 District 24 includes communities north of
16 Orlando in Orange and Seminole Counties and the
17 cities of Deltona, DeBary, Lake Helen, Orange
18 City in Volusia County.

19 The district follows the boundary of
20 Seminole County along much of its western and
21 southern boundaries. It is bounded on the east
22 by Brevard County and is traversed by Seminole,
23 the Seminole Expressway and Interstate 4.

24 The district keeps the majority of
25 Seminole County together excepting the part

1 located in minority opportunity District 3.

2 This District does a far better job of any
3 job, than any district in the same location in
4 the 2002 map at avoiding splitting cities.
5 Current maps split six cities while proposed
6 District 24 splits only Apopka and Sanford,
7 while keeping 12 cities whole, including
8 Deltona.

9 The Daytona hearing included overwhelming
10 testimony in favor of not splitting Daytona,
11 Deltona, but keeping it whole within one
12 Congressional District. Proposed District 24
13 is faithful to that goal, shared by the
14 individuals across the political spectrum.

15 Congressional District 25 recognizes
16 neighborhoods in western and south Miami-Dade
17 County of similar language, cultural,
18 socioeconomic characteristics consistent with
19 traditional race neutral redistricting
20 principles.

21 The District preserves the core of
22 existing, of existing, of a minority
23 opportunity District. It satisfies the mandate
24 of the Constitution and the unanimous consent
25 agreement of the Reapportionment Committee that

1 we not diminish the ability of minorities to
2 elect candidates of their choice.

3 The district has a 74.1 Hispanic voting
4 age population. As stated in regard to our
5 other South Florida minority districts, we
6 received a wealth of testimony at our hearing
7 in Palm Beach, Davie, Miami and South Miami
8 requesting that we preserve minority
9 opportunities in southeast Florida.

10 District 25 reflects that testimony,
11 though not at the expense of traditional race
12 neutral redistricting principles. Over
13 90 percent of the borders of District 25 are
14 political or geographical boundaries.

15 The district is confined wholly within
16 Miami-Dade County and the district splits no
17 cities. The District is bounded by the
18 Miami-Dade County line on the west and the
19 south by U.S. Highway 41 on the north and by
20 portions of Homestead, of the Homestead
21 Extension of the Florida turnpike, US Highway 1
22 and city lines on the east.

23 Congressional District 26 and 27 are two
24 new Congressional Districts which Florida has
25 allocated based upon our substantial

1 disproportionate increase in population during
2 the last decade.

3 District 26 comprises central Florida
4 communities in Citrus, Lake, Marion and Sumter
5 Counties. The district does not split a single
6 municipality, 20 entire cities are wholly
7 included within the Committee's proposed
8 District 26.

9 This District keeps The Villages community
10 within a single district. This is in response
11 to the overwhelming testimony at our public
12 hearing at The Villages where members of the
13 public pointed out the shared interest and
14 amenities of the community and urged that it be
15 kept together in a single Congressional
16 District.

17 The district follows the boundaries of
18 Citrus and Sumter Counties and Interstate 75
19 and the Ocala City line through Marion County.
20 The district also groups similar rural
21 communities in the four counties separating
22 them from more urban areas of Orlando and
23 Tampa.

24 And lastly, District 27. District 27 ties
25 communities of similar language, cultural,

1 socioeconomic characteristics in Orange,
2 Osceola and Polk Counties including parts of
3 southeast Orlando, Kissimmee, Haines City and
4 Lake Wales.

5 The district was created consistent with
6 traditional race neutral redistricting
7 principles resulting in using political and
8 geographic boundaries for over two-thirds of
9 its borders, and including all of Osceola
10 County.

11 The District has a 41.3 Hispanic voting
12 age population. Beginning with our June 20th
13 Committee meeting in Tallahassee and continuing
14 through our central Florida public hearings the
15 Committee heard from a large number of
16 representatives of the Hispanic community and
17 the Hispanic interest groups.

18 These organizations, much, much like the
19 NAACP, did not sit on the side lines and
20 criticize the process, but engaged
21 constructively as it turned out successfully.

22 The Committee was persuaded that the
23 significant Hispanic population increase and
24 the concentration in the area justifies
25 proposed Congressional District 27.

1 The Committee's proposal draws heavy on
2 several maps submitted by Latino Justice. Once
3 the Committee's proposed Bill was published in
4 November we received only favorable public
5 comment on the district and the Hispanic groups
6 continue to be engaged in a positive and
7 constructive manner as the Committee finalized
8 its Bill which is now before you.

9 PRESIDENT HARIDOPOLIS: Thank you, Senator
10 Thrasher. Senator Gaetz, before we go on to
11 that I am assuming we want to go to the
12 question.

13 SENATOR GAETZ: Yes.

14 PRESIDENT HARIDOPOLIS: On the districts.
15 All right, members, here is what we are going
16 to do. We are going to do exactly what we did
17 on the Senate seats, okay, we are going to open
18 it up for questions to Senator Gaetz, and
19 Senator Gaetz will take the questions unless he
20 yields to someone else, and Senator Bullard,
21 you are recognized for questions.

22 SENATOR BULLARD: Yes, sir, thank you,
23 Mr. President. Senator Gaetz and Senator
24 Thrasher, I came in unfortunately, I had to
25 make a little run, but anyway, I came in at the

1 explanation of the Senate District 25, and I
2 believe that that Senate District 25 it touches
3 on Miami-Dade community, is that correct?

4 PRESIDENT HARIDOPOLOS: Senator Gaetz, you
5 are recognized.

6 SENATOR GAETZ: Thank you, Mr. President.
7 Yes, Senator Bullard, you are absolutely
8 correct.

9 SENATOR BULLARD: Thank you.
10 Mr. President?

11 PRESIDENT HARIDOPOLOS: You are
12 recognized, Senator Bullard.

13 SENATOR BULLARD: Will either of the two
14 new districts that are presently drawn, will
15 they recognize the fact that I may run some
16 day?

17 PRESIDENT HARIDOPOLOS: Senator Gaetz. Do
18 you want to go ahead and touch that one?

19 SENATOR GAETZ: Thank you, Mr. President.
20 Should you decide to move to those parts
21 towards of Florida, Senator Bullard, I am
22 confident that you would be well-received and
23 undoubtedly be a strong candidate for Congress.

24 PRESIDENT HARIDOPOLOS: The record for
25 additional questions, Senator Smith, Senator

1 Smith, you are recognized.

2 SENATOR SMITH: Senator Gaetz, basically
3 the same question I had for the Senate map
4 regarding the data used. Did you use on for
5 the minority access seats, did you use voting
6 age population or did you use any voting
7 performance data?

8 PRESIDENT HARIDOPOLOS: Senator Gaetz.

9 SENATOR GAETZ: Thank you very much,
10 Mr. President. Senator Smith, same answer to
11 your question as before, voting age population.

12 PRESIDENT HARIDOPOLOS: Any additional
13 questions, Senator Dockery?

14 SENATOR DOCKERY: Thank you,
15 Mr. President. Senator Gaetz, same situation
16 with Polk County and the Congressional seats.
17 In the introduction of this Bill it was stated
18 that 43 counties were not split at all.

19 Polk County was split four times, and of
20 those districts, District 5 has 9.78 percent of
21 Polk. District 8 has 44.85 percent of Polk,
22 District 12 has 30.17 percent of Polk and
23 District 27 has 15.2 percent of Polk.

24 Could you give the rationale for why Polk
25 County was split into four different

1 Congressional seats in light of the fact that
2 the two new districts that Florida had earned
3 were both based around Polk County area, and in
4 fact, Senate District 15 was one of the largest
5 growth districts and that was a great portion
6 of Polk County?

7 PRESIDENT HARIDOPOLIS: Senator from the
8 4th, you are recognized to respond.

9 SENATOR GAETZ: Thank you very much, and
10 Senator Dockery, I would say that if we were
11 doing jokes by number I would say you have
12 asked number 67 and we should all respond
13 appropriately.

14 I have no new information to present to
15 you as to splits in Polk County other than the
16 information I presented to you when we were
17 discussing the Senate Districts.

18 The same arguments apply, and I believe
19 that your points are well made. If we had
20 started in Polk County and gone out instead of
21 starting in the coastal areas of Florida and
22 going in, it very well may have been the case
23 that Polk County would have been treated
24 differently, but the same explanations apply.

25 PRESIDENT HARIDOPOLIS: Senator 15th, you

1 are recognized for a question.

2 SENATOR DOCKERY: Thank you,
3 Mr. President. Well, because we have parts of
4 four counties it is fixable that Polk County
5 could, without disturbing much of the rest of
6 the map, be reduced to two counties or at a
7 maximum, three counties split rather than the
8 four, and I am hoping that since the House is
9 going to weigh in on these maps that you would
10 be amenable to helping that happen. Could I
11 have your comment on that?

12 PRESIDENT HARIDOPOLIS: Senator from the
13 4th, you are recognized.

14 SENATOR GAETZ: Thank you very much.
15 Senator Dockery, your proposal is an
16 interesting one. It is intriguing. I can't
17 give you comfort that there would be no
18 consequences for other districts, but rather
19 that a Congressional District could be created
20 in that area without any other implications for
21 other districts.

22 We don't get 28. We only get 27, but, and
23 so therefore, I can't assure you that our
24 partners in the House will see things
25 differently.

1 I can tell you that our gentle persons
2 agreement with the Speaker Designate is that we
3 will focus on Senate maps and the House will
4 focus on House maps, but it is always possible
5 that the House of Representatives might decide
6 to change the Senate maps in which case I will
7 ask the President to reconvene the Senate
8 Reapportionment Committee so that we can devise
9 House maps. I doubt that that will occur.

10 PRESIDENT HARIDOPOLIS: Senator from the
11 15th, you are recognized for a question.

12 SENATOR DOCKERY: Thank you,
13 Mr. President. And I would say that we are
14 glad there is not a 28 seat because then Polk
15 County would probably be in five. But having
16 said that, could you do me a favor and read
17 from the script the description of District 12
18 that Senator Thrasher read with respect to
19 Charlotte County?

20 PRESIDENT HARIDOPOLIS: Senator from the
21 4th, you are recognized to respond.

22 SENATOR GAETZ: Thank you, Mr. President.
23 Thank you, Senator Dockery. Senator Thrasher
24 read the following. "the committee's intention
25 with District 12 is to recognize that the rural

1 agricultural Congressional District in the
2 interior of the state is an appropriate
3 configuration for a Congressional District.
4 This district combines the similar interests of
5 Glades, Okeechobee, Highlands, Desoto, and
6 Hardee Counties and the rural areas of
7 Charlotte, Hillsborough, Manatee, Lee, Sarasota
8 and a portion of Polk County."

9 In the initial Committee Bill introduced
10 on December 6th, District 12 extended to the
11 Gulf of Mexico in Charlotte County. We
12 received public comment and the public comment
13 urged us to remove western Charlotte County,
14 which is urban, from rural District 12.

15 The Charlotte Sun Herald editorialized
16 making the same point, and so therefore,
17 Senator Dockery, we discussed this in
18 Committee. I am sorry you weren't able to
19 attend that meeting, but we discussed it in
20 Committee. We heeded these comments in the
21 Committee Substitute which exchanged western
22 Charlotte County for the eastern and more rural
23 parts of Manatee and Sarasota Counties.
24 Interstate 75 became a convenient boundary on
25 the west side of the district.

1 In Wachula at our hearing there we heard
2 extensive testimony in favor of keeping rural
3 communities together, and similarly we heard
4 testimony in Orlando suggesting that the
5 Okeechobee area belongs with more rural
6 counties.

7 District 12 is faithful to that testimony
8 as it applies to those counties. Unlike the
9 current District 16, the proposed district does
10 not connect the interior counties with the east
11 coast. It instead is a more compact district,
12 and that is what Speaker Thrasher read into the
13 record.

14 PRESIDENT HARIDOPOLIS: Senator for the
15 15th, you are recognized for a question.

16 SENATOR DOCKERY: Thank you,
17 Mr. President. So in light of what was read,
18 it appears that the community, and I think you
19 left out a few of the words, but the community
20 that considered itself urban was removed from
21 what is considered a rural district, District
22 12, so that like communities would be together.

23 The community I believe that you removed
24 is Port Charlotte. Port Charlotte has a
25 population of 54,000 individuals. Lakeland has

1 a population of over 100,000, so one could
2 argue Lakeland is even more urban than Port
3 Charlotte, yet Lakeland was left in rural
4 District 12. Can you explain?

5 PRESIDENT HARIDOPOLIS: Senator from the
6 4th, you are recognized to respond.

7 SENATOR GAETZ: You could have made an
8 even greater argument using even more extreme
9 examples. For example, Jacksonville, which has
10 a population of which I think is close to a
11 million people, is divided in two, and there is
12 a reason for it, just as there was a reason for
13 dividing Charlotte County.

14 The reason for dividing Jacksonville is
15 because of a minority district issue that
16 invades Jacksonville and includes part of Duval
17 County.

18 The reason that was given by members of
19 the public and by the newspaper in Charlotte
20 and other media outlets, for dividing Charlotte
21 County was that the coastal portions of
22 Charlotte County were deemed by those who
23 shared their views with the Committee, as I
24 described, to be more in keeping with the
25 coastal communities. And so that would be the

1 reason.

2 It had less to do with population and more
3 to do with the nature of the testimony that we
4 received.

5 PRESIDENT HARIDOPOLIS: Further questions?
6 Senator from the 34th, Senator from the 23rd,
7 and Senator Braynon, do you have questions as
8 well? Okay.

9 Let's start with Senator Rich, followed by
10 Senator Detert, followed by Senator Braynon.
11 Senator Rich, you are recognized for a
12 question.

13 SENATOR RICH: Thank you, Mr. President.
14 I want to go back to the actual data that was
15 used in these maps.

16 We had a conversation at one of the
17 Committee meetings about the fact that Mr.
18 Guthrie had mentioned that the staffs of both
19 the House and the Senate had gotten together on
20 these maps and collaborated.

21 So I think that there may be some other
22 data that was used or certainly was available
23 on the House side that we didn't have, but
24 because they collaborated it was available.

25 So I would like to go back and have a

1 response to the question about what kind of
2 data was used.

3 PRESIDENT HARIDOPOLIS: Senator from the
4 4th, you are recognized to respond.

5 SENATOR GAETZ: Thank you, Mr. President.
6 Thank you, Leader Rich. If the implication of
7 your question is that the House and the Senate
8 professional staffs exchanged data in their
9 discussion of Congressional Districts, that did
10 not include any political registration or
11 political data.

12 Instead, my understanding of the extent of
13 the conversations between House and Senate
14 professional staff had to do with differences
15 in the way that districts were configured and
16 reasons why. But I may -- I will assure you on
17 the floor as I have assured you in Committee,
18 that there was no interchange of political data
19 between the House and the Senate, and there was
20 no intent and no effect of using political data
21 to develop Congressional Districts anymore than
22 Senate Districts.

23 PRESIDENT HARIDOPOLIS: Senator from the
24 34th, you are recognized for a question.

25 SENATOR RICH: Thank you, Mr. President.

1 Does the actual voting performance in an area
2 effect an minority's ability to elect a
3 candidate of their choice?

4 PRESIDENT HARIDOPOLIS: Senator from the
5 4th, you are recognized to respond.

6 SENATOR GAETZ: I cannot -- thank you,
7 Mr. President. I cannot give you a better
8 answer than I gave to Senator Smith, and that
9 is that voting age population was used in
10 configuring districts. Performance, political
11 performance of districts we leave to political
12 parties.

13 PRESIDENT HARIDOPOLIS: Senator from the
14 34th, you are recognized for a question.

15 SENATOR RICH: Thank you. Do you
16 interpret the Constitution and the Voting
17 Rights Act to require that the boundary lines
18 of minority districts must be as close to
19 possible as the 2002 districts, you know,
20 adjusting for obviously, population?

21 PRESIDENT HARIDOPOLIS: Senator from the
22 4th, you are recognized to respond.

23 SENATOR GAETZ: No.

24 SENATOR RICH: Okay. Those are -- so let
25 me just follow up with this then. This is kind

1 of the same, on the same kind of path.

2 In Congressional District 3 which is
3 protected by the Voting Rights Act, so you then
4 at this point, according to what you said, I
5 just want to clarify this, you would say that
6 you haven't analyzed what percentage of
7 minority voters is sufficient in the
8 Jacksonville area for minorities to elect a
9 representative of their choice?

10 PRESIDENT HARIDOPOLIS: Senator from the
11 4th, you are recognized to respond.

12 SENATOR GAETZ: Thank you, Mr. President.
13 On the contrary.

14 SENATOR RICH: So could you share that
15 with us then?

16 SENATOR GAETZ: On the contrary, yes.
17 Obviously, voting age population of minorities
18 in Duval County in the Jacksonville area, it
19 was certainly taken into account by the
20 Committee.

21 PRESIDENT HARIDOPOLIS: Senator from the
22 34th, you are recognized for a question.

23 SENATOR RICH: Thank you, and just lastly,
24 I just want to go back to this one other thing
25 about working the Congressional maps together,

1 because the Staff Director did use the word
2 collaborate and we are now going to, as was
3 mentioned by Senator Dockery, we will be going
4 back and working with the House on the
5 Congressional map.

6 So how can we then say that we will not be
7 using the data that the House used, if you
8 heard that question?

9 PRESIDENT HARIDOPOLIS: Senator from the
10 4th, you are recognized to respond.

11 SENATOR GAETZ: Thank you very much,
12 Mr. President. Leader Rich, I cannot improve
13 upon my answer. As you know because you were
14 there in the Committee and you asked and the
15 question was answered.

16 There was one sheet of paper that was
17 apparently brought by the House that showed
18 Hispanic voting age population, but it was not
19 an information that had anything to do with
20 party registration.

21 SENATOR RICH: Thank you.

22 PRESIDENT HARIDOPOLIS: Senator from the
23 23rd, Senator Detert, you are recognized for a
24 question.

25 SENATOR DETERT: Thank you, Mr. President,

1 and I hate to offer any changes. I think those
2 of us who have carefully listened today
3 understand the amount of work that has gone
4 into this.

5 I serve on the Committee, so I know how
6 much you have put into it and every little
7 change is going to create a domino effect.

8 But when you talk about minority
9 districts, I rise to talk about Boca Grande,
10 which is as big as a minute and has one road in
11 and one road out, so single ingress and egress,
12 and is now going to be divided into two
13 Congressional Districts which is going to kind
14 of fly in the face of common sense.

15 I think there is probably only 2,000
16 people on the whole island. So it is going to
17 seem silly. I did ask staff about it and they
18 said it would also effect the Senate and the
19 House seats.

20 So do we have a formula that says the same
21 group of people have to have the same
22 Congressman, the same Senator, similar
23 representation, or is there any other reason
24 why we can't make Boca Grande just one part of
25 probably District 13, frankly?

1 PRESIDENT HARIDOPOLIS: Senator from the
2 4th, you are recognized to respond.

3 SENATOR GAETZ: Thank you, Mr. President.
4 Thank you, Senator Detert. I know you raised
5 this issue in Committee, and it is a very
6 legitimate issue.

7 We were caught between competing
8 requirements of redistricting principles. On
9 the one hand it makes perfect sense. I visited
10 Gasparilla Island, I know that everything you
11 say is absolutely true, but the fact is that
12 Gasparilla Island is divided into two counties,
13 sadly, and I am not sure why it was divided
14 into two counties.

15 So on the one hand there was the notion
16 that you have which I think is a common sense
17 notion for a solid notion that this island that
18 contains 2,000 people ought to be in one
19 Congressional District.

20 On the other hand, we have political
21 boundaries which Senator Norman reminds me we
22 have to talk about county and city boundaries.
23 People think that political boundaries are
24 somehow made up by Democrats and Republicans.
25 Political boundaries are really city and county

1 boundaries for the most part.

2 And therefore we chose to follow the
3 county boundaries in Gasparilla Island which
4 divides the island in two, but it doesn't do
5 anymore violence than whoever crafted county
6 lines dividing the two islands.

7 So in the Congressional maps and Senate
8 maps and House maps, in an attempt to follow
9 county lines, Gasparilla Island is divided, and
10 just in -- just as in my response to Senator
11 Dockery, you could make a case for dividing
12 Gasparilla Island not at all, but keeping it
13 whole, but then you would have one more county
14 that, county split.

15 And if you had one more county split, is
16 that the straw that breaks the camel's back in
17 the eyes of the public, in the eyes of a court
18 somewhere? I don't know. So I think your
19 argument is just as sound as the argument that
20 says don't make county splits.

21 It was my understanding, Senator Detert,
22 that you were sanguined as to the map going
23 forward and consequently there was no amendment
24 on this matter, but I believe that the argument
25 that you make on behalf of the people of

1 Gasparilla Island is a sound one.

2 It is just unfortunate that when counties
3 were created in that area that there was a
4 county line that bisected the island.

5 SENATOR DETERT: Thank you.

6 PRESIDENT HARIDOPOLIS: Senator from the
7 23rd, you are recognized for a question.

8 SENATOR DETERT: Well, just to thank you
9 and I wanted to bring it up and I did not file
10 an amendment because we don't want to create a
11 domino effect based on this small island, but
12 it was a concern, and I think your answer is
13 perfectly acceptable, thank you.

14 PRESIDENT HARIDOPOLIS: Further questions?
15 Senator Braynon. Senator Braynon, you are
16 recognized for a question.

17 SENATOR BRAYNON: Thank you,
18 Mr. President. Not to belabor a point, but I
19 know that I asked a question in Committee and
20 Senator Rich asked a question and the answer
21 was to another question.

22 So let me ask the question in another way,
23 and I will give examples so that you understand
24 exactly what I am talking about.

25 When we talk about interpreting the Voter

1 Rights Act, my real question is, what
2 information was used or is commonly used to
3 interpret how to create a minority performing
4 district?

5 I know that we use voter -- we use voter
6 age population. Is it -- has it traditionally
7 been used or is it used in other times? Is it
8 used in other places that they use, and when I
9 say performance, I don't mean who they voted
10 for, what party they are registered for, but
11 did they vote? Are they registered -- are even
12 registered to vote?

13 PRESIDENT HARIDOPOLIS: Senator from the
14 4th, you are recognized to respond.

15 SENATOR GAETZ: Thank you, Mr. President.
16 Senator Braynon, I apologize to you, but I have
17 no -- I have no background in how this issue
18 was dealt with ten years ago. Perhaps those
19 who were on the floor then could respond to
20 your question, nor do I have a particular
21 understanding as to what some other states may
22 have done.

23 We took what we considered to be the most
24 legitimate metric, which was voting age
25 population, and we didn't attempt to predict. I

1 think it would have presumptuous to attempt to
2 predict whether people would vote or not.

3 It is a fact that African-Americans voted
4 in greater numbers when Barrack Obama was on
5 the ticket than when Dwight Eisenhower was on
6 the ticket, but -- and so there may be factors
7 that influence why African-Americans or
8 Hispanics may cast a vote.

9 My understanding is that Hispanics voted
10 in greater numbers in Miami-Dade when Governor
11 Bush was on the ticket than when Governor
12 Chiles was on the ticket.

13 The point simply is, we use voting age
14 population. If there is some other metric that
15 someone else wants to use or argue on the basis
16 of some other metric, that may be -- they are
17 certainly -- their choice to do so, but we use
18 voting age population which we were advised by
19 counsel is the appropriate method to use.

20 PRESIDENT HARIDOPOLIS: Senator from the
21 33rd, you are recognized for a question.

22 SENATOR BRAYNON: I think the last part of
23 the answer was really kind of what I was, what
24 I wanted to know.

25 Is this -- would voting age population be

1 considered legally sufficient as a metric, I
2 guess you would say, to say you follow the
3 Voting Rights Act?

4 PRESIDENT HARIDOPOLIS: Senator from the
5 4th, you are recognized to respond.

6 SENATOR GAETZ: Thank you very much.
7 Again, I apologize. I can't improve on my
8 answer. Yes, but thank you very much for
9 persisting with the point. It is a very
10 important one.

11 PRESIDENT HARIDOPOLIS: Further questions?
12 Senator Bullard, you are recognized for a
13 question.

14 SENATOR BULLARD: Thank you,
15 Mr. President. Senator Gaetz, is the census
16 used in any way in terms of measuring what
17 happens?

18 I know that those census forms are sent
19 out and there are times when people do not fill
20 them out and as a result of it, it does, in
21 fact, it has diminished their representation.

22 So is that one of the measurements or one
23 of the, some part of the process that
24 determines what happens in the reapportionment?

25 PRESIDENT HARIDOPOLIS: Senator from the

1 4th, you are recognized to respond.

2 SENATOR GAETZ: Thank you, Mr. President.
3 Thank you, Senator Bullard. We are obliged to
4 use the census by Federal law, and I grant your
5 contention that there are those who are not
6 counted, that there are those who are under
7 counted for a variety of reasons, but we have
8 no other basis for drawing districts and we
9 have no other basis for many of the other
10 public policy decisions we make that rely upon
11 knowing who is where, other than the census.

12 So we are obliged to use it and the census
13 data was used and it was the very first body of
14 data that was placed on our Redistricting
15 Website.

16 PRESIDENT HARIDOPOLIS: Further questions?
17 Further questions? Still on second reading.
18 Are there further questions?

19 Senator Gaetz, would you like to move to
20 third reading?

21 SENATOR GAETZ: Mr. President, I move that
22 we roll to third reading.

23 PRESIDENT HARIDOPOLIS: Okay, all those in
24 favor say aye.

25 (Chorus of ayes.)

1 PRESIDENT HARIDOPOLIS: All those opposed
2 say nay.

3 (Chorus of nays.)

4 PRESIDENT HARIDOPOLIS: The motion is
5 adopted. We are now on third reading. All
6 those who would like to be heard in debate just
7 raise their hands and I would be happy to --
8 Senator Latvala.

9 Senator Braynon. Others who would like to
10 be heard in debate? Senator Smith, Senator
11 Rich. Others who would like to be heard in
12 debate? Senator Dockery. Others? Senator
13 Thrasher, Senator Negron.

14 Okay, we are going to begin with Senator
15 Latvala followed by Senator Braynon and we will
16 put the list order behind me accordingly.

17 Senator Latvala, you are recognized in
18 debate.

19 SENATOR LATVALA: Thank you very much,
20 Mr. President.

21 PRESIDENT HARIDOPOLIS: I am sorry, I
22 apologize, let's read the Bill for a third
23 time.

24 THE SECRETARY: Committee Substitute for
25 Senate Bill 1174, a Bill to be entitled an act

1 relating to establishing the Congressional
2 Districts of the state.

3 PRESIDENT HARIDOPOLIS: Senator from the
4 16th, you are recognized.

5 SENATOR LATVALA: Thank you very much. I
6 am sorry I missed all of the fun this morning
7 so I wanted to get in on it this afternoon.

8 I am feeling better and I appreciate all
9 of you that asked me. You know, I watched part
10 of this morning's debate between naps on TV,
11 and I heard all of the conversation about how
12 horrible the maps from ten years ago looked.

13 And so when it comes to the Congressional
14 maps from ten years ago I want to stand up
15 right here and take full responsibility for
16 those maps, since I was the Senate
17 Congressional Redistricting Chairman ten years
18 ago.

19 But that was then, and under the rules
20 that we operated then I did my job and I did it
21 well, but this year we operate under some
22 different rules, and I want to tell you that I
23 have observed the process of redistricting in
24 Florida as a political operative and as a
25 Senator and as a lobbyist and so forth,

1 probably this is -- this is the fourth cycle
2 that I have observed the process, and without a
3 doubt it is the best job anybody ever did on
4 it, was the job that Senator Gaetz did this
5 year in the Florida Senate.

6 The process from start to finish, the
7 inclusiveness that was felt by all of the
8 members of this body from start to finish has
9 just, I think, been wonderful.

10 Senator Gaetz knew what his responsibility
11 was. He knew what the constraints were that
12 the Committee had to operate under, and he has
13 done a fabulous job of operating under those
14 constraints, and under the new constraints that
15 were put on us that I didn't have ten years
16 ago.

17 I could just pretty much sit with the
18 Congressman or sit with other members and we
19 would sit in an office. I even had a special
20 office over in the Knott Building that nobody
21 knew anybody about so nobody could find me, and
22 we sat over there and we drew the lines just
23 exactly the way we wanted to draw them.

24 Well, this year that process has been
25 cleaned up and we all have seen the product

1 that has come out of that process this year.
2 It is a product that frankly didn't regard the
3 incumbents.

4 I think the last I heard we had four or
5 five incumbent Congressmen that were either put
6 in the same district or put outside of their
7 preferred district that they currently serve.

8 So if you do that we didn't do that ten
9 years ago. We put everybody in their district
10 and that is where some of this strange screwy
11 which lines came from, to try to connect folks
12 to the districts that they live in.

13 Senator Gaetz didn't do that this year.
14 The staff didn't do that this year. We played
15 it straight up, and I think in the process
16 created a very good map for the future of our
17 state.

18 We reduced dramatically the number of
19 counties and cities that were split. There is
20 a lot more logic to the way the maps look, and
21 I just wanted to be the first one here in
22 debate today to stand up and commend Senator
23 Gaetz for this map and to urge a positive vote
24 on this Bill today.

25 PRESIDENT HARIDOPOLIS: Thank you.

1 Senator Braynon, you are recognized in debate.

2 SENATOR BRAYNON: Thank you,
3 Mr. President. I am going to be very brief
4 because I, and I want to thank Senator Gaetz
5 for the amendment today which put Opa Locka
6 Airport back in the City of Opa Locka. I am
7 sure the residents of Opa Locka enjoy that they
8 will have the same Congress person representing
9 them that represents their airport, but I want
10 to go back to the public comment.

11 You say that you used public comment -- I
12 think my Latin is rusty, but you said vox
13 populi or something to that effect. I traveled
14 to several of the meetings and one of the
15 things that I heard consistently was that
16 Congressional District 3 was meandering and
17 gerrymandered, and that we needed to find a way
18 to make it more compact and that it was
19 possible to make it a more compact district and
20 still have a minority -- allow the minorities
21 in that district to vote for their -- a
22 candidate of their choice.

23 And as I drove through Jacksonville when
24 we went to Jacksonville, I drove -- we went
25 from wherever we were to visit the port, and as

1 we drove by I looked out my window and I saw
2 many African-American communities.

3 So I went back to my computer using the
4 technology that we were given that was made so
5 accessible to us from the staff and I noticed
6 that there is a rather large African-American
7 population in Jacksonville, and subsequently
8 after that, Jacksonville elects a Mayor that is
9 African-American, which Jacksonville
10 encompasses the entire county of Duval.

11 So through all of this I realized, is
12 there a way for us to draw a seat that is all
13 in Duval or is more compact that would allow us
14 to elect an African-American of their choice
15 and possibly allow us to elect an
16 African-American of our choice in central
17 Florida.

18 I think that is possible. I am not sure
19 that our map does that. I mentioned it in our
20 Committee. I mentioned it at the, and I heard
21 it mentioned at every, almost every single
22 Committee meeting -- public hearing meeting
23 that we went to, and I know we say that the
24 voice of the people is whatever the Latin quote
25 was.

1 Well, if the voice of the people is, how
2 come we didn't listen to it in drawing
3 Congressional District 3?

4 Thank you, Mr. President.

5 PRESIDENT HARIDOPOLIS: Thank you.

6 Senator Negron, you are recognized in debate.

7 SENATOR NEGRON: Thank you, Mr. President,
8 and I would say respectfully to Senator Braynon
9 then, why didn't you file an amendment? If you
10 didn't like the way District 3 was drawn, you
11 get one vote just as I do and as Senator Gaetz
12 does and everybody else.

13 If there was a way to improve the product,
14 I would hope that whether it is Medicaid
15 Reform, whether it is PIP Reform, whether it is
16 any issue, especially one that we only do every
17 ten years, it is a pretty important Bill other
18 than the budget is the only thing we have to do
19 this session, then I would say that you should
20 have an amendment here for us to consider.

21 The second point I wanted to make,
22 Mr. President, and obviously Senator Rich will
23 take time in a few minutes to make her argument
24 and I will listen respectfully to it as I know
25 all of us will, but I think it is only fair to,

1 when someone is taking a shot at something,
2 saying this is why it is not good, then it is
3 fair game to say, well, let's look at the
4 product you did and see how well that went.

5 That is how cases are tried. That is how
6 people decide what products to buy. I mean,
7 once you put opposition to something into play,
8 then it is fair game to look respectfully at
9 your plan.

10 So let's look at the plan that Senator
11 Rich filed and ultimately withdrew.

12 District 3, Congresswoman Brown who is a
13 person of historic significance in the state of
14 Florida. It takes voting age population of
15 African-Americans, which is at 50 percent and
16 reduces it by over 25 percent. It is over
17 25 percent reduction to 36.2 percent.

18 So how is that showing a commitment to
19 make sure that African-Americans have members
20 of Congress, which by the way, they didn't use
21 to. For many decades in Florida there were no
22 African-Americans in the United States Congress
23 from Florida, and she was one of the pioneers.

24 Well, how does it help the cause of
25 African-Americans to reduce the number of

1 African-Americans of voting age population from
2 50 percent to 36.2 percent?

3 Secondly, if you look at District 23,
4 Congressman Hastings' district, his voting age
5 population that are African-American also is
6 diminished, and it removes from his district in
7 its entirety five counties, of the five
8 counties that are protected under the Voting
9 Rights Act.

10 That is almost certainly would lead to the
11 Justice Department denying pre-clearance when
12 you have taken the very five counties that we
13 are supposed to monitor and make sure we treat
14 them fairly and you have taken them out of the
15 current district that they are in.

16 And then finally, on a more technical
17 nature, but it is important because it is in
18 Amendments 5 and 6 and we have been told over
19 and over and we have been encouraged and
20 sometimes lectured by people to follow 5 and 6,
21 follow 5 and 6.

22 Well, I have noticed in life a lot of
23 times the people who are telling you the most
24 to do something are doing it in fact the least.
25 So let's look at what this amendment does that

1 Senator Rich ultimately withdrew.

2 It is important that Amendments 5 and 6
3 has the language in there about trying to keep
4 cities and counties together where feasible.

5 Well, in her proposal it split 72 cities
6 in the Congressional map compared to 45 for our
7 map. So by any definition it is, it goes
8 against the intent of 5 and 6. It also has 156
9 distinct city splits compared with 103 in the
10 map that Senator Gaetz worked on and the
11 Committee map that we are voting on today.

12 So those are just three areas where the
13 proposal that Senator Rich filed as an
14 amendment does things that most of us in this
15 room consider to be ill-advised, considered not
16 to be good policy and in some cases be against
17 Amendments 5 and 6.

18 So I would just ask that while people have
19 every right to criticize products, and I don't
20 think you have any obligation, as, you know,
21 you go to trial, you don't have to put on a
22 case, but once you do put on a case then people
23 are going to look at it and I think when we
24 look at the amendment that was filed by the
25 Minority Leader, that it does not live up to

1 the expectations that all of us have, which I
2 think points out the superior product in the
3 Committee Bill that we are currently
4 considering. Thank you.

5 PRESIDENT HARIDOPOLIS: Senator from the
6 29th, Senator Smith, you are recognized in
7 debate.

8 SENATOR SMITH: Mr. President, and I would
9 like my good friend, learned counsel Negrón, I
10 won't get up and argue against the dissent,
11 because the dissent is what is not the law.

12 I will argue against the Bill that is
13 before us, not something that was presented and
14 withdrawn that we are not even discussing
15 today.

16 I will vote against this Bill today
17 because I think there are some opportunities we
18 could have done something different. I didn't
19 offer up those opportunities, but I reserve the
20 right as a member of the Legislature to vote
21 against it if I don't think it is done right.

22 Right now when we talk about minority
23 populations and talk about voting age
24 populations of minority districts, I think we
25 have all talked about at different times that

1 you don't need as many minorities to make a
2 minority district.

3 I have been trying to find out how exactly
4 are we doing this, is it a majority, minority
5 district or is it a minority access district,
6 because those are two separate things, and I
7 think we keep intertwining those two meanings,
8 and I wish during the closing someone could
9 really discuss the methodology whether they
10 considered creating or keeping minority access
11 seats or majority-minority seats, because in
12 order for a minority to be elected you don't
13 need a majority-minority in a district.

14 I think we have seen that. There are
15 examples of that everywhere to have full access
16 to a seat. So for those reasons I think there
17 were a couple of concerns with this map also.
18 I can't fully agree with the map so I will be
19 voting against the map today. Thank you.

20 PRESIDENT HARIDOPOLIS: Senator from the
21 10th, Senator Storms, you are recognized in
22 debate.

23 SENATOR STORMS: Thank you, Mr. President.
24 Well, I wanted to say a couple of things and so
25 just let me say at the outset to particularly

1 Senator Joyner, not by way of lecturing, and my
2 friends who are in the Senate who have paid
3 with their sweat and with their blood and with
4 their freedom on this issue, so this isn't by
5 way of lecturing, but by way of explanation of
6 why I arrived at the conclusion that I arrived
7 at today.

8 Yesterday I listened to the entire text,
9 the entire presentation of Dr. King's speech on
10 the Mall, and I heard words that I had never,
11 that had never really touched my heart the way
12 they touched my heart yesterday, and I thought
13 that they were dispositive in our conversation
14 today because it speaks directly to the
15 comments that Senator Smith was making and the
16 comments that Senator Braynon was making and
17 certainly the comments that Senator Joyner made
18 earlier when we talked about the Senate.

19 And if you would just indulge me for a
20 second I will read the exact text. It is just
21 two lines, so I am not going to read the whole
22 thing, and I don't want anybody to be worried
23 about that, but it is the language where
24 Dr. King spoke about this.

25 "We cannot be satisfied as long as a Negro

1 in Mississippi cannot vote and a Negro in New
2 York believes that he has nothing for which to
3 vote."

4 So Mississippi, the people in Mississippi
5 could not vote. That was the poll tax. That
6 was come in here and tell me how many marbles
7 are in this glass container and then you will
8 have the right to vote.

9 Tell me how many bubbles a man can blow if
10 he makes bubbles with soap, and people would go
11 in and they would be desperate to vote and they
12 didn't have the right to vote, and they
13 couldn't vote and everybody here is familiar
14 with that aspect of the Voting Rights Act and
15 what the Voting Rights Act said is you couldn't
16 use those questions. You couldn't do that.
17 You couldn't deny people to vote.

18 But for the first time, and maybe because
19 I didn't live it, because I didn't go to jail,
20 because I wasn't denied it, I never heard
21 Dr. King's speech when he spoke about the
22 people in New York who had no one for whom to
23 vote. They didn't have anybody to cast their
24 vote for, and I never understood what that
25 meant.

1 And so yesterday for the first time I
2 understood what it meant and it seems like an
3 appropriate place to plug it in today. What it
4 means, at least what it meant to me, is that
5 people of color, language, and
6 African-Americans wanted somebody that looked
7 like them. They wanted to be able to go to the
8 polls, even that they were in New York and they
9 had the ability to vote, they wanted somebody
10 who looked like them, who had their
11 experiences, who knew what their children, what
12 their little girls and their little boys
13 experienced, who knew the unique
14 characteristics of what it meant to live in
15 that experience.

16 And so to me yesterday when I listened to
17 Dr. King speak and what, just me, little Rhonda
18 Storms saying that it doesn't make any
19 difference, but it was an extraordinary, all of
20 these years later, an extraordinary speech and
21 withstands the test of time, but it seems like
22 that is what we are trying to do here in
23 redistricting.

24 At least that is what I am trying to do.
25 So for the people who are standing up and

1 saying what about this, what about dilution,
2 for me in my experience I take those words and
3 I plug them in here and I say what does it mean
4 if we try and dilute, when the courts talk
5 about voter dilution, when they talk about
6 racially polarizing, what does it mean to
7 dilute the power of a minority to elect people
8 that, that shall be drawn, to elect, not to
9 diminish their ability to elect representatives
10 of their choice. What does that mean?

11 Well, it does mean that you don't take the
12 minority and subrogate their ability to vote
13 for people by submerging them in a majority
14 district, and to me that is what Dr. King
15 meant, and I knew that that -- I knew that that
16 is part of what we were trying to do here
17 through redistricting when we started this
18 whole process and people heard me talk about
19 this before.

20 I went to Beesville which is my district.
21 Beesville is a historic African-American
22 community that was settled by emancipated
23 slaves. And so when we very first started this
24 project I went to my district, months and
25 months ago, more than a year ago and I had a

1 meeting in Beesville with folks and I said,
2 here is what we are doing.

3 If we do this and the end result is you
4 can run an African-American in a race, but an
5 African-American can never get elected, does it
6 matter to you if it is still that person of
7 your same party affiliation, or does it matter
8 to you that you could say to your sons, look,
9 son, there is Senator Chris Smith, an
10 African-American man, or look at my sweet
11 princess daughter, there is Senator Joyner or
12 Senator Bullard, an African-American woman.

13 Does it matter? I think it does matter,
14 and I think that is what to me, not having had
15 that experience and I want to say again, not by
16 way of lecturing, but just by way of
17 explanation, that is how I have arrived at this
18 process to say I want to be a blessing and not
19 a curse.

20 Sometimes I am a curse in spite of that,
21 but I want to be a blessing and not a curse,
22 and I want to do everything that I can to be
23 responsible to the Constitution to say, yes,
24 the Voting Rights Act means that we are not
25 going to engage in poll taxes, we are not going

1 -- we are going to give people the opportunity
2 to show up at the polls on election day and
3 vote without any hassle, without having to go
4 through dogs, without having to guess marbles,
5 that is that part of it.

6 But the other part that we are going to do
7 is we are going to say, you have an opportunity
8 to represent and to elect people, a realistic
9 opportunity to elect people who look like you,
10 who think like you, and who are members of the
11 minority party or the minority population so
12 that we altogether will make the best possible
13 decisions.

14 So for those of you who are my friends and
15 you understand my heart, I wanted to share
16 those thoughts with you so you would understand
17 at least the Senator from the 10th District,
18 how I arrived in the position that I am today
19 to vote on these issues to protect the minority
20 interests in the best way possible.

21 Thank you, Mr. President.

22 PRESIDENT HARIDOPOLIS: Thank you.

23 Senator from the 15th, Senator Dockery, you are
24 recognized in debate.

25 SENATOR DOCKERY: Thank you,

1 Mr. President. Members, the ballot summary
2 language states the following, "Legislative
3 districts or districting plans may not be drawn
4 to favor or disfavor an incumbent or political
5 party.

6 Districts shall not be drawn to deny
7 racial or language minorities the equal
8 opportunity to participate in the political
9 process and elect representatives of their
10 choice. Districts must be contiguous. Unless
11 otherwise required, districts must be compact,
12 as equal in population as feasible and where
13 feasible must make use of existing city, county
14 and geographical boundaries."

15 In looking at these Congressional maps, 43
16 out of 67 counties are not split at all. That
17 is a great number, and I congratulate you on
18 being able to do that, Senator Gaetz, and to
19 the Committee as a whole. But one county, Polk
20 County, is split four ways.

21 District 12 has been described as a rural
22 district, and to further prove that point, a
23 Charlotte County city of 54,000 people was
24 removed because it was deemed urban.

25 In the comments made on the floor it was

1 stated that the Committee's intention with
2 District 12 is to recognize that the rural
3 agricultural Congressional District in the
4 interior of the state is an appropriate
5 configuration for a Congressional District.

6 The district combines similar interests of
7 Glades, Okeechobee, Highlands, Desoto and
8 Hardee Counties and the rural areas of
9 Charlotte, Polk, Hillsborough, Manatee, Lee and
10 Sarasota Counties.

11 Members, Polk County has over 600,000
12 people. The City of Lakeland has over 100,000
13 people. The portion of Polk County that is in
14 this supposed rural district includes Lakeland.
15 Lakeland is the home of Publix Supermarkets,
16 one of the largest employers in the state.

17 Polk County is also home to Babcock, to
18 State Farm Insurance, and those areas are
19 included in this rural Senate District 12.

20 In following the directives of the Fair
21 District Amendments I would submit to you that
22 the Congressional District 12 does not meet the
23 requirements to be compact, nor does it meet
24 the requirement to make use of existing county
25 boundaries.

1 Likewise, the other three districts in
2 Polk County, 5, 8 and 27, as it relates to Polk
3 County might also run afoul of the goals of the
4 Fair District Amendments.

5 To my colleagues who have made comments
6 about why don't you submit an amendment. I
7 would state that when you are not a member of
8 the Redistricting Committee, today is the first
9 true entry point in this discussion and in
10 being able to participate in this.

11 There was a group of individuals who was,
12 who were putting together an amendment that was
13 supposed to be filed for this, and I did
14 participate with them in trying to address the
15 needs and the concerns I have in the central
16 Florida area for the sole purpose of trying to
17 make this redistricting map, which may be
18 perfect in all of the other counties, other
19 than the four that I have concerns with.

20 The problem is to submit an amendment is
21 to submit an entire redistricting map. You are
22 not able to just change that portion which you
23 think does not meet the guidelines of the Fair
24 Districts Amendment.

25 So I don't have expertise in the

1 panhandle. I don't have expertise in South
2 Florida, but I do know my communities of
3 interest in central Florida, and I have been
4 trying to make corrections to that.

5 My goal today is not to be an
6 obstructionist and it is not to criticize a
7 good work product which the rest of the state
8 may be perfect. It is to point out that there
9 are problems with the central Florida regions
10 and I don't believe that they meet the criteria
11 that I read to you from the ballot language for
12 the Constitutional Amendment.

13 That leaves me kind of a Hobson's choice.
14 Do I support a map which, if I believe the rest
15 of you that the other counties are all perfect
16 at the expense of the county that I represent
17 and less parochial as a State Senator who
18 supported the Fair District Amendments which
19 passed with an overwhelming majority of voters,
20 do I support a redistricting map where I truly
21 believe that the area that I represent does not
22 meet the guidelines of Fair Districts?

23 So I bring before you questions and
24 concerns of the district that I represent, the
25 fact that it is not the areas that you have

1 included are not rural areas and that we are
2 just beginning as a full Senate to debate the
3 merits of a redistricting map and we don't have
4 the opportunity to make tweaks, we need to vote
5 it out one way or the other today and then it
6 goes over to the House.

7 I would submit it makes more sense to
8 correct it before it goes to the courts than to
9 wait for the courts to send it back to us. So
10 with those concerns on the record I just would
11 hope that we as a body could treat Polk County
12 in the center of the state like we have treated
13 the other 67 counties in the state.

14 PRESIDENT HARIDOPOLIS: Senator from the
15 8th, Senator Thrasher, you are recognized in
16 debate.

17 SENATOR THRASHER: Thank you,
18 Mr. President. You know, Senator Dockery,
19 there is some, if I looked at it objectively,
20 there is some problems with some of the
21 districts in my area, but also remember the
22 fact that we are State Senators, we are State
23 Senators, and that we ought to be looking at
24 what is in the best interest of the people of
25 the State of Florida.

1 And again I go back and I think it has
2 been said multiple and multiple times, the
3 process has been one that has been inclusive,
4 transparent and open to anybody. I understand
5 you weren't on the Committee and I respect
6 that, but I will tell you this, I think any
7 member of this Senate could have gone to the
8 professional staff and asked for assistance in
9 correcting issues that they thought were
10 inappropriate.

11 I just believe that. I have known John
12 Guthrie longer than I want to admit and I know
13 him to be somebody who will work tirelessly to
14 ensure that any member of this Senate has the
15 opportunity to ensure that their ideas and
16 their proposals are heard before the full
17 Senate or certainly in the Committee.

18 So I regret that you had that experience,
19 but I would also say that our staff stood ready
20 and willing to help any single Senator who had
21 an issue in this particular map.

22 You know, Senator Smith, I just want to
23 talk to you a minute about the Constitution of
24 Florida, and, you know, what we are dealing
25 with here is we have talked earlier is not

1 hyperbole, it is not speculation, it is not
2 stuff that, you know, that perhaps we pull out
3 of the air, but it is honest to goodness
4 constitutional law and the Federal Voting
5 Rights law.

6 You know, you can't just push those aside.
7 They are there. Senator Dockery said she was
8 for Amendments 5 and 6. I said earlier I was
9 against Amendment 5 and 6 for the reason I
10 thought we had enough clear law on these issues
11 for the State of Florida to do its job, and
12 this Legislature to do its job, but they passed
13 and everywhere we went, everywhere we went in
14 the state of Florida, everybody at least in
15 every location I went to got up and said, you
16 know, be true to Amendments 5 and 6.

17 Some of them were each sophisticated
18 enough to understand that we also needed to
19 apply the Voting Rights Act, Section 5, and I
20 will tell you in my opinion, I may, and
21 whatever the folks across the street do, they
22 do. We know that, and they have done it
23 before, but I agree with Senator Margolis, I
24 think this plan is probably a good plan.

25 There might be some tweaks to it that they

1 might want to send back to us, I don't know,
2 none of us know, because nobody has ever
3 interpreted yet Amendments 5 and 6, but I will
4 say this.

5 The one thing that stands out to me and
6 the reason that I pushed for it in our
7 Committee to ensure that minority districts
8 were protected and looked at was the language
9 that is in our Constitution which basically
10 says, and whether it is minority,
11 minority-majority, you don't know how -- I
12 don't know how to interpret that either, but I
13 do know what the Constitution says, and it says
14 districts, districts shall not be drawn to
15 diminish the ability of minorities to elect
16 representatives of their choice.

17 That is pretty dadgum clear to me, and I
18 know, Senator Braynon, we have got a new Mayor
19 in Jacksonville and I am proud of him. I know
20 that if we pass the Senate plan in Duval County
21 where I don't live, but I represent part of it,
22 Senator Gibson, Senator Gibson will be the only
23 Senator who resides in Duval County
24 representing that area.

25 So I know there have been a lot of

1 changes, but you can't push aside the
2 Constitutional Amendments that were passed,
3 Amendments 5 and 6, and I don't believe you can
4 push aside the Voting Rights Act.

5 So I think what we have done in that
6 regard should prevail, and I got to tell you,
7 we shouldn't weaken minority voting strength in
8 the state of Florida and anybody who comes with
9 a suggestion that we do that, in my opinion,
10 comes with a heavy, heavy burden, and I haven't
11 heard that today.

12 Again, in all due respect, I haven't heard
13 that. So I think we have been true to the
14 Constitution. I think we have been true to
15 Amendment 5 and I think Senator Gaetz, again,
16 has done a masterful job with the staff of
17 making sure that we are in the posture to send
18 the most correct piece we can within the
19 confines of Amendment 5 and 6 to the Florida
20 Supreme Court and the Justice Department, and I
21 would urge your favorable vote of this good
22 Bill.

23 PRESIDENT HARIDOPOLOS: Senator from the
24 34th, Senator Rich.

25 SENATOR RICH: Thank you, Mr. President.

1 I am kind of feel like I am repeating myself
2 from before, but I am going to do it anyway.

3 I had a couple of -- just a couple of
4 quick comments before I start to express my
5 remarks. I just want to say, Senator Storms, I
6 agree with you.

7 We all should be concerned about minority
8 voting, and in my opinion we all should have
9 been concerned about that when we passed
10 legislation last year and many states around
11 the country did that will help prevent
12 minorities from voting in the next election.

13 Also, Senator Negron, it is very
14 interesting, I know you mentioned about the
15 five counties, about the difference in the
16 counties, but I brought up that same comment
17 about Districts 1 and 3 in the Senate map and I
18 was told that, you know, that really wasn't a
19 part of the Constitution. Although Senator
20 Dockery read it and I read it as certainly as
21 counties are certainly one of the most
22 geographical boundaries that we have.

23 So we should -- we should make it fair on
24 both sides, not using it, you know, for one
25 person's purposes or another, either it is or

1 it isn't.

2 Two years ago, as I said before, the
3 voters could not have spoken louder or with
4 more clarity. They said they were tired of
5 elected officials drawing seats that favored
6 themselves or their party of choice and their
7 voices could not have been stronger.

8 In an election when our Governor failed to
9 get even a majority of the electorate,
10 Floridians agreed on the Fair District
11 standards by 63 percent, yet we are here today
12 considering maps that I believe are drawn in
13 violation of Fair District standards.

14 First, while the Committee spent much time
15 and energy hosting the meetings across the
16 state and listening to speakers and inviting
17 submission of maps from the public, actually I
18 look and I see the examples and voices were
19 actually cherry picked when you look at certain
20 comments that were made at different
21 redistricting meetings.

22 For the most part I think those comments
23 were selected because they do support a
24 person's point of view or not. While everybody
25 professed their great desire to support

1 minority voters, I agree with my friend,
2 Senator Joyner, who believes that for too long
3 the so-called protection of minority voters has
4 been used by this Legislature as a pretext to
5 draw seats that preserve incumbency and advance
6 the interest of a particular political party.

7 Bleaching seats in the name of minority
8 protection is a practice that must be resisted.
9 It ultimately diminishes the impact minority
10 voters have in the governance of this state and
11 makes it easy for communities of color to be
12 neglected by the vast majority of elected
13 officials.

14 The Fair Districts criteria I believe
15 contemplated more competitive elections. The
16 idea that after all of this work we ultimately
17 produce maps, I believe, that favor the party
18 in power and sitting incumbents, and that means
19 to me that we have not complied with Amendments
20 5 and 6.

21 Amendment 6 gave this Legislature both an
22 opportunity and a mandate to start over, to
23 wipe the slate clean and to remake the
24 redistricting process. And for all of the talk
25 of openness and public participation we have

1 heard throughout the process, and I do give
2 tremendous credit to Chairman Gaetz for the
3 plentiful opportunities for input that were
4 provided.

5 In spite of all of that I believe the maps
6 that are being passed out today look a lot like
7 the ones the voters were hoping would be gone
8 when they passed Amendment 6. This plan still
9 protects incumbents. It still gerrymanders, it
10 still has districts that meander around the
11 state with no apparent logic and it will still
12 very likely result in a Congressional
13 delegation that is grossly disproportionate to
14 the partisan makeup of this state.

15 So for those reasons I will be opposing
16 the map today.

17 PRESIDENT HARIDOPOLIS: Before we go to
18 Senator Gaetz to close, is there anyone else
19 who would like to be heard in debate before we
20 go to Senator Gaetz?

21 With that, Senator Gaetz, you are
22 recognized to close on the Bill.

23 SENATOR GAETZ: Thank you, Mr. President,
24 and thank you all who have stayed this long day
25 to participate in designing the political

1 landscape of Florida for the next decade, it is
2 serious business. Thank you for your serious
3 attention. Thank you for your serious debate.

4 Senator Braynon says that Congressional
5 District 3 meanders and is gerrymandered, and
6 he talks about all of the African-Americans who
7 he encountered in Duval County and that we
8 ought to pay attention to them. We did.

9 While there was testimony in opposition to
10 the current configuration of Congressional
11 District 3, there was not one single
12 African-American, not one who testified against
13 maintaining Congressional District 3 as a
14 district where there should be no backsliding,
15 there should be no diminution, there should be
16 no reduction in minority voting strength.

17 Not one African-American testified to that
18 effect. So having lived in Jacksonville,
19 understanding that city to some extent, I agree
20 that there certainly are plenty of
21 African-Americans in Jacksonville, lots of
22 them, but none of them came to the hearing and
23 testified as Senator Braynon suggested would be
24 the case.

25 Senator Smith reserves the right to vote

1 against something that he just doesn't think is
2 right, even though he offers no alternative,
3 and that is his right. It is his right to vote
4 no without offering an alternative, but you are
5 supposed to be a constructive engager in the
6 public process.

7 If you don't like what is being proposed
8 there were 32 separate formal invitations to
9 offer an improvement, and I would just -- I
10 would just remind my friend, Senator Smith,
11 that many members of the Democratic Party on
12 this floor and the Republican Party took up
13 that invitation and offered insights, offered
14 guidance, offered criticism that helped us
15 create better Congressional maps.

16 I wish Senator Smith would have engaged as
17 well. I know that his insights would have been
18 respectfully listened to and I am sure he could
19 have made a contribution had he chosen to be
20 engaged.

21 Senator Smith tells us that we don't need
22 a majority of minorities to elect a minority,
23 and that is agreed. It is agreed by the
24 evidence that he provided, an African-American
25 who is Mayor of Jacksonville, and an

1 African-American is President of the United
2 States, a country that certainly does not have
3 a majority of African-American voters, but to
4 substantially decrease minorities in a district
5 that historically has been able to elect
6 minorities to national office is simply wrong.

7 It is violative of the Constitution. It
8 is violative of the Voting Rights Act and it
9 violates the unanimous consent agreement that
10 we established in our committee. There ought
11 to be no backsliding, there ought to be no
12 reduction, there ought to be no diminishment of
13 minority voting opportunities in this plan.

14 That is what we said and that is what we
15 did. The alternative proposals that were
16 offered and then withdrawn, in every case
17 reduced minority voting opportunities and
18 reduced substantially by the scores of
19 thousands the opportunity for minorities to
20 choose candidates of their choice.

21 I noticed that the NAACP did not seize
22 upon this opportunity to have black voter
23 rights diminished. Instead, they filed maps
24 which we followed to ensure that the hard won
25 gains that so many Senators have spoken of so

1 eloquently on this floor would not be
2 diminished and would not be lost.

3 Senator Dockery says that coastal
4 Charlotte County was removed from a Senate
5 District in a Committee Substitute because it
6 is urban. I am sorry that she, that I didn't
7 make myself as clear as I could have or should
8 have in our discussion earlier when I said that
9 that portion of Charlotte County that is
10 coastal was not removed and placed into a
11 coastal district because it was urban, but
12 rather because it was coastal.

13 That was the input we received from the
14 public. That was the input we received from
15 the newspaper and the media in Charlotte County
16 and so that is what we did.

17 Senator Dockery talks about Publix
18 Supermarkets in Lakeland as being a significant
19 employer and she is right. A representative of
20 Publix Supermarkets informed me today that
21 Publix is just fine with the Congressional and
22 Senate maps that have been proposed. His name
23 is Mike Mitchell. You can give him a call,
24 Senator.

25 And then Senator Dockery suggests to us

1 that if it were true, we ought to really be
2 concerned. Senator Dockery suggested was that
3 today was the first point of entry, the first
4 entry point she said into this debate, and that
5 is why there was no amendment.

6 Well, I am sorry, respectfully, Senator
7 Dockery is wrong on the facts. I have here two
8 memoranda which were sent to her office. One
9 on September 27th, 2011, and one on
10 November 18th, 2011, which invited her
11 specifically to offer any amendments, and on
12 the day that amendments were to be filed, the
13 last day, which was Friday, again, by unanimous
14 consent agreement of the Committee, Mr. Guthrie
15 from our professional staff called Senator
16 Dockery's office because he heard she was
17 concerned.

18 Called once, called twice, called three
19 times, called four times, asking if there was
20 anything the professional staff could do to
21 help her fashion an amendment to take care of
22 her concerns, and the response was nothing.

23 So to come on this floor and suggest that
24 today is the first point of entry is just
25 factually wrong. And then Senator Dockery asks

1 rhetorically, should I vote for something if it
2 is wrong for my community.

3 We have had a long process, as Speaker
4 Thrasher has indicated. We have had multiple
5 opportunities for people to offer improvements
6 and we have accepted those improvements. That
7 is the thing that I hope the Senate will
8 understand.

9 We have accepted criticism, comments,
10 suggestions and improvements day after day,
11 time after time from Senators on this floor,
12 from members of the public, from interest
13 groups. Sadly, nothing from Senator Dockery,
14 and so she is left then wondering whether she
15 should vote for or against and she has decided
16 to vote against and I think she should.

17 Senator Rich offers the same analysis she
18 did in opposition to the Senate plans. She
19 says the maps are drawn in violation of the
20 Fair District standards, but sadly, and I say
21 this respectfully, because Senator Rich has
22 engaged in this process, she offers no
23 evidence.

24 She offers not a scintilla of evidence as
25 to why the proposal before you violates any

1 standards of the Fair Districts Amendments that
2 were passed by 63 percent of voters.

3 She says that the Congressional maps in
4 front of you favor the party in power and favor
5 incumbents, but she failed to listen apparently
6 to Senator Latvala who brings the voice of
7 experience and talks about how, in contrast to
8 2002, in this set of Congressional maps that
9 are before you, incumbents are not favored. We
10 don't even know where we live, where they live,
11 but by reading the newspapers we find that
12 there are four or five incumbents who don't
13 even live in the districts that we have drawn.

14 Tough luck. We have drawn districts not
15 for incumbents or challengers, not to favor or
16 disfavor them, but in conformance with the law
17 and good redistricting principles.

18 There is no evidence that the party in
19 power is favored or that incumbents are favored
20 and if there were such evidence she would have
21 presented it on this floor. She would have
22 forced us to confront it, but there is no
23 evidence.

24 Our President said to me some months ago,
25 if there is compelling evidence, if there is

1 persuasive testimony, if the numbers show that
2 we ought to do it, then we ought to have a
3 Hispanic opportunity seat in central Florida.

4 Now, let me offer the only partisan
5 comment I will offer in this debate. I figure
6 as a Republican her chances of winning that
7 seat aren't really good, and my guess is the
8 Senate President figured the same thing, but it
9 was the right thing to do.

10 So without fear or favor or disfavor, he
11 said if the numbers show that this is the right
12 thing to do, do the right thing, and so the
13 maps before you include a Hispanic seat in
14 central Florida.

15 Senator Latvala is right, there has been
16 no reference to the interests of incumbents.
17 Some incumbents will be out of their districts.
18 Tough luck. Some incumbents will find that
19 they will have to introduce themselves to
20 scores of thousands of new voters. So what.

21 These are fairer districts than you have
22 seen before. Every metric and I have laid them
23 out for you, they have been laid out in answers
24 to questions. They have been laid out in
25 explanation of this Bill. Every single metric

1 shows that these are fairer, better, more
2 compact districts than we have had before,
3 making greater use of city and county
4 boundaries and natural boundaries than ever
5 before.

6 Mr. President, I can't conclude without
7 again thanking our professional staff, John
8 Guthrie and his staff members who have been
9 available to every Senator, Democrat or
10 Republican.

11 I can tell you that over the holidays they
12 were available to Democrats, they were
13 available to Republicans, they were available
14 to interest groups, they were available to
15 ordinary citizens who just said, you know, I
16 have an idea or a criticism or an insight that
17 I want to share with you.

18 These are individuals who are
19 professionals. They are not politicians. They
20 were available to each of us, and so you have
21 before you, not a perfect plan, but a
22 Constitutional plan.

23 A plan that is fair, a plan that stands I
24 think in stark contrast to the suggestions and
25 the allegations and the charges made against

1 it, all of them without evidence or foundation.

2 So it is with thanks to the President for
3 the opportunity which he gave me to Chair this
4 Committee and with gratitude to Senator
5 Margolis, President Margolis for her wisdom,
6 her insight and her leadership to every member
7 of this Committee, no matter how they vote, to
8 every member of the Senate, no matter where
9 they are engaged in this process and with
10 appreciation to the best professional staff
11 that I believe exists in any redistricting
12 effort in this country, that I ask for a
13 favorable vote.

14 PRESIDENT HARIDOPOLIS: That concludes.
15 The Secretary will unlock the board and
16 Senators will prepare to vote.

17 Have all Senators voted? Have all
18 Senators voted? Secretary, lock the board and
19 announce the vote.

20 THE SECRETARY: Thirty-four yea's, six
21 nay's, Mr. President.

22 PRESIDENT HARIDOPOLIS: And by your vote
23 CS for Senate Bill 1174 passes by the required
24 number.

25 SENATOR GAETZ: Thank you.

1 PRESIDENT HARIDOPOLIS: Senator Gaetz, you
2 are recognized for a motion.

3 SENATOR GAETZ: Thank you, Mr. President,
4 I move that the rules be waived and Committee
5 Substitute for Senate Joint Resolution 1176 and
6 Committee Substitute for Senate Bill 1174 be
7 immediately certified to the House of
8 Representatives.

9 PRESIDENT HARIDOPOLIS: Without objection
10 the motion is adopted. Well done, Senator
11 Gaetz, well done, Senators, for a thoughtful
12 debate today.

13 We have a couple of Bills to withdraw from
14 further consideration. The Secretary will
15 please read the Senator's name and Bill number.

16 THE SECRETARY: Senator Hays, Senate Bill
17 1894, Office of Financial Regulations of the
18 Financial Services Commission. By Senator
19 Bennett, Senate Bill 1002, Shark Fins.

20 PRESIDENT HARIDOPOLIS: Without objection
21 show the Bills withdrawn from further
22 consideration and their Committees of
23 reference.

24 Are there any other items for the good of
25 the order before I go to Senator Thrasher?

1 Senators, let me get your attention if I could,
2 please.

3 As you all know from the calendar this
4 week, we had planned on being on the floor
5 today, tomorrow and perhaps even Friday. Due
6 to the good work of the Committee and of course
7 the Senators as well, we are now beyond
8 reapportionment here in the Senate and we look
9 forward to seeing the House's plan for their
10 House Districts.

11 So tomorrow the only agenda item is
12 Senator Thrasher's committee. I believe it
13 meets from 1:15 to 2:00, the Rules Committee.
14 Beyond that, of course, Senators can meet with
15 individuals as they wish tomorrow, and of
16 course, we resume our normal schedule on
17 Thursday, and this will mean on Friday there
18 will be no legislative session.

19 So just for the housekeeping, you have a
20 full day to catch up on work or whatever you
21 need to do tomorrow throughout the day, just
22 the Rules Committee will be meeting.

23 Beyond that are there any other items
24 before I go to the Rules Chair, Senator
25 Thrasher? With that, Senator from the 8th, you

1 are recognized.

2 SENATOR THRASHER: First of all, a motion
3 on some referencing. I move the rules be
4 waived and that the references to the following
5 Bills be corrected as follows.

6 Senate Bill 1144, to government over-site
7 and budget; Senate Bill 1212, to government
8 over-site and budget; Senate Bill 1214 to
9 government over-site and budget; and Senate
10 Bill 1502 to Criminal Justice, health
11 regulation and budget.

12 PRESIDENT HARIDOPOLIS: Without objection
13 show that adopted.

14 SENATOR THRASHER: Ready to pack it in,
15 Mr. President? Mr. President, I move that the
16 Senate stand in recess until Tuesday,
17 January 24th, at 9:00 a.m. or upon the call of
18 the President for the purpose of holding
19 meetings and conducting other Senate business.

20 PRESIDENT HARIDOPOLIS: Without objection
21 the Senate is now in recess.

22 (Whereupon, the proceedings were
23 concluded.)

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C E R T I F I C A T E

STATE OF FLORIDA)

COUNTY OF LEON)

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

That the foregoing pages 171 through 339 represent a true, correct, and complete transcript of the tape-recording;

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

Dated this 23rd day of January, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014