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SENATE REAPPORTIONMENT MEETING

JANUARY 11, 2002

9:00 a.m. - 11:45 a.m.

KNOTT BUILDING, ROOM 412

TALLAHASSEE, FLORIDA

REPORTED BY:

KRISTEN L. BENTLEY

COURT REPORTER

Division of Administrative Hearings

DeSoto Building

1230 Apalachee Parkway

Tallahassee, Florida

MEMBERS IN ATTENDANCE

- 1 CHAIRMAN JOHN F. LAURENT
- 2 SENATOR LISA CARLTON
- 3 SENATOR LEE CONSTANTINE
- 4 SENATOR STEVEN A. GELLER
- 5 SENATOR BETTY S. HOLZENDORF
- 6 SENATOR JAMES E. KING
- 7 SENATOR ALFRED LAWSON, JR.
- 8 SENATOR TOM LEE
- 9 SENATOR KENDRICK B. MEEK
- 10 SENATOR DURELL PEADEN, JR.
- 11 SENATOR KEN PRUITT
- 12 SENATOR BURT L. SAUNDERS
- 13 SENATOR ROD SMITH
- 14 SENATOR J. ALEX VILLALOBOS
- 15 SENATOR DEBBIE WASSERMAN-SCHULTZ

PROCEEDINGS

- 1 CHAIRMAN LAURENT: Will the committee on Legislative.
- 2 (CHECK) And will the administrative assistant please call
- 3 the roll.
- 4 (Whereupon, the roll was taken.)
- 5 CHAIRMAN LAURENT: A quorum is present. This is
- 6 our -- is a workshop we have scheduled today on some maps
- 7 that we've prepared to begin -- not to begin, but to
- 8 continue the reapportionment process. What we'll do is if
- 9 it's okay with the members, we'll put the plans up. I will
- 10 explain them briefly. We'll open the meeting up to public
- 11 comment and then to any questions or comments from the
- 12 committee.
- 13 Senator Pruitt had a meeting this morning and he asked
- 14 to be excused, that he would get here before the meeting
- 15 was over. If you will look to the left side of the room,
- 16 you will see the first two bills. You will have the
- 17 complete maps and then you have blowups of specific areas.
- 18 I would encourage the members to review those and we can
- 19 refer to those during the meeting.
- 20 Lenny, do you want to go ahead and put up -- this is
- 21 the first map we posted on the web site and that we have
- 22 filed. This map reflected -- I talked to every member of
- 23 the Senate, reflected input I got from the membership.
- 24 Reflected the input we got from the public hearings we got
- 25

- 1 from all over the state of Florida.
- 2 As you can see, it looks similar to, in most areas, to
- 3 Florida's existing map. Certainly does not follow it
- 4 completely in north Florida if you start on the left, if
- 5 you take the first three districts in north Florida and
- 6 draw a line right at Leon County, those three districts are
- 7 10,000 votes short of having three complete districts.
- 8 If you'll notice that on the eastern part of Leon
- 9 County those are the 10,000 folks we considered the
- 10 possibility of having some deviation and just using the
- 11 county line as a boundary but we elected to have as small a
- 12 deviation as possible and the 10,000 folks in Leon County
- 13 are still in Senate District No. 4. Move that to the right
- 14 if you would.
- 15 The most significant change in -- between -- a little
- 16 to the right, Lenny, also if you would. In Alachua County
- 17 in a district which was District No. 2 which is now
- 18 District No. 7 which is Senator Holzendorf's district.
- 19 There was an arm that went to Alachua County. I had some
- 20 discussion with Ms. Holzendorf in reference to this.
- 21 That was the arm that was also -- the courts ruled
- 22 out, as you can see the overline of the old map. That was
- 23 the arm that the federal courts disallowed in Corrine
- 24 Brown's congressional district and we elected to not -- to
- 25 not continue that arm in the Senate map and Senator

- 1 Holzendorf's district goes from Jacksonville down to
- 2 Bathune Cookman and Daytona.
- 3 The rest of the map pretty much speaks for itself.
- 4 And I'm not going to go through a lot of detail on it
- 5 because I'd like to put the next map up.
- 6 After putting this map out, I received additional
- 7 input from members of the Senate and we made some
- 8 significant changes to the map. This is the latest
- 9 rendition. If you would, take the city names off. And
- 10 probably the most significant change would be in the Palm
- 11 Beach area and I know there are some folks here from Palm
- 12 Beach County.
- 13 In this map we have one Senate seat which is -- point
- 14 and highlight the Palm Beach area if you would, Lenny. We
- 15 have one district, Senator Klein's district, which is
- 16 wholly within Palm Beach County. The green district that
- 17 runs along the coast has a significant majority of the
- 18 population in Palm Beach County, it's around
- 19 230-something-thousand to around 170,000 in Broward.
- 20 And the district that wound its way up to Boca is
- 21 pulled out of the county. And then there is a third
- 22 district which is the northern part of the county in which
- 23 Palm Beach County has a plurality in the district, does not
- 24 have an absolute majority in the district, but has the
- 25 largest number of votes of any county within the district.

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1 The coast-to-coast district, to be honest with you, is one
2 that we tried not to have. We've not been able to figure
3 out a way not to do that, existing coast-to-coast district
4 takes in part six counties. This district takes in parts
5 of three counties.
6 And with that, I would entertain any specific
7 questions that a member has about a specific period before
8 we go to public comment. But I would like to go to public
9 comment and then we will spend as much time as we want
10 today on questions or comments from the membership. And I
11 would like to, since we do have a number of people from
12 Palm Beach, I would like to recognize Senator Klein for
13 some initial comments.
14 SENATOR KLEIN: Thank you, very much, Mr. Chairman,
15 Senators. My district, District 28, is a district
16 presently that picks up a little bit of Broward County and
17 then runs from south Palm Beach County, the line by the
18 Hillsborough canal, up to just south of West Palm Beach.
19 Palm Beach County, I think, for the record, is
20 important to say is the third largest county. It is the --
21 one of the fastest growing counties. It is a county that
22 is, and I'm approximating here, is about 25 percent built
23 out. So when you talk about the opportunity for growth
24 over the next 10, 20, 30 years, it is substantial. And
25 some of our counties around the state, Pinellis County and

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1 others, have been built out and therefore their population
2 will be stable.
3 Palm Beach County will be aggressively growing. The
4 areas of Palm Beach County that are impacted right now by
5 growth are the coastal areas and it continues to move
6 inland. You also have the areas interior of the county by
7 Lake Okeechobee, cities like Belle Glade and Pahokee and
8 South Bay. Again, those are areas where large agricultural
9 interests are situated and populations. It's a very
10 diverse county.
11 Based on its 1.1 million population, you've got
12 various populations of migrants. You've got various races
13 and educational backgrounds, economic interests from
14 agriculture to high-tech to real estate. It's a microcosm
15 of the state. And it is very difficult to represent an
16 area that is so diverse. One other statistic I'll throw at
17 you because they talked about it locally in Palm Beach
18 County, it is the largest geographic area district or
19 county east of the Mississippi.
20 So just to give you an idea or perspective of square
21 miles, population, it is a very substantial county and
22 certainly one of the leading counties in the state. The
23 proposed map that has been drawn, 001 and 003, from my
24 perspective and the reaction that I received in Palm Beach
25 County, was sort of a spontaneous reaction of concern in

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1 that such a large county would have so many strands that
2 would be pulled off in different directions.
3 Now we understand, and I certainly understand being a
4 member of this body, the importance of maintaining Senator
5 Dawson's seat and the coastal seat, District 31. But
6 beyond that, really Palm Beach County needs to have fair
7 and equitable representation. And as it stands right now,
8 based not only on the map itself, the performance numbers
9 as I see it, the dynamics of who might be running, and the
10 fact we only have a single primary and lots of other
11 things, the result of that may still be that we have one
12 resident Palm Beach County Senator.
13 And while I'm honored to have the privilege of serving
14 in Palm Beach County on behalf of Palm Beach County, Palm
15 Beach should be treated no different than Miami-Dade County
16 which, under the map, would have six resident Senators,
17 being the largest county. Broward County would have five
18 resident Senators, being the second largest county. Palm
19 Beach County should not have one, it should have four.
20 Hillsborough County, smaller than Palm Beach County, has
21 three resident Senators.
22 So just to put it all in perspective in terms of the
23 numbers, you know, again, the reaction on a strictly
24 economic interest of the community, the educational
25 institutions, the population, the political interests of

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1 the Democrats and Republicans and Independents in Palm
2 Beach County, everyone that I've heard from has come
3 together and said, We need to have fair representation in
4 Palm Beach County. And having seven Senators is a
5 privilege but we need to have more resident Senators who
6 live and work in the community, understand the issues of
7 the community, and can best represent that community.
8 So, Mr. Chairman, I know you have a number of
9 appearance cards because people have called me and have
10 taken time out of their business lives and professional
11 lives to come up here and express their personal sentiments
12 on behalf of themselves and their communities. So I would
13 just ask that at the appropriate time you recognize them to
14 give their comment.
15 CHAIRMAN LAURENT: I have just a couple of questions.
16 Do you consider there -- I mean, you indicated that you
17 felt that Senator Dawson's district should remain and the
18 coastal districts should remain. Do you consider there is
19 some community of interest at all between Broward and Palm
20 Beach Counties?
21 SENATOR KLEIN: In general?
22 CHAIRMAN LAURENT: Yes.
23 SENATOR KLEIN: In general, I think there are some
24 communities of interest.
25 CHAIRMAN LAURENT: You have the same university,

1 basically serves both counties also; is that correct?

2 SENATOR KLEIN: You have Florida Atlantic University
3 that serves in the same county. This is not a conversation
4 about there aren't -- that's why I support the idea of
5 Senator Dawson's and Senator Sanderson's districts continue
6 to represent those areas. My bigger concern is District
7 35, Senator Rossin's seat which is right now a West Palm
8 Beach based seat. It loses its -- it's now connected to a
9 dominant district on the west coast of Florida.

10 We had two public hearings in Palm Beach County.
11 Very, very strong unified testimony. It wasn't a great
12 district ten years ago for people on both sides. But
13 certainly it doesn't come any better now with the power
14 base being shifted over to the west coast. I've got in the
15 west Boynton Beach area, which is part of my district right
16 now, which isn't too far from my house, that becomes part
17 of the Fort Meyers' based seat. People in there, there is
18 no communities of interest between those areas.

19 CHAIRMAN LAURENT: And you also indicated that you
20 thought Palm Beach should have four Senators, which would
21 be 11.6 million in population, and if you kept a coastal
22 seat -- just kind of work through your process. That kind
23 of surprised me.

24 SENATOR KLEIN: Well, again, the way I view the
25 coastal seat -- is that the one you're referring to as one

1 of the seats?

2 CHAIRMAN LAURENT: Well, you said four seats in Palm
3 Beach and the population isn't in Palm Beach for four
4 seats. I'm just curious how you think you'll get there --

5 SENATOR KLEIN: The way I'm thinking about that,
6 Mr. Chairman, is you have two seats. Senator Dawson's seat
7 and Senator Sanderson's seat that right now transgress both
8 counties. So certainly one of those seats can certainly be
9 part of a Palm Beach County based seat. And I know you
10 have attempted in the second draft to try to move it in
11 that direction. I am concerned very frankly based on the
12 interest of people who are considering running in those
13 seats that it may ultimately not be a Palm Beach County
14 based seat based on the fact we have a single primary
15 system for this next election.

16 And I think it ultimately may result in the
17 possibility that that doesn't end up being a Palm Beach
18 County based seat. The only seat left is my seat which is
19 self-contained to Palm Beach County. Senator Rossin's seat
20 will not be a Palm Beach County resident Senator. Senator
21 Pruitt's seat will not be a Palm Beach County based
22 resident Senator.

23 Senator Campbell who right now has a piece of Palm
24 Beach is primarily in Broward County. You've now taken the
25 Polk County part out of that so that no longer is an issue.

1 So I think the math ends up as I'd like to see four, I
2 think, at a minimum. The county approaching 1.2 million
3 people absolutely justifies three resident Senators, no
4 different than the math in Miami-Dade, Broward, and
5 Hillsborough counties.

6 CHAIRMAN LAURENT: Any other questions from any other
7 members? Thank you very much.

8 SENATOR KLEIN: Thank you, Mr. Chairman.

9 CHAIRMAN LAURENT: We have a number of appearance
10 cards. And we'll go through them in the order in which
11 they were turned in. If anybody does wish to speak, I
12 would request that they fill out a card. Todd Bonlarran.

13 MR. BONLARRAN: Thank you, Mr. Chairman, members. My
14 name is Todd Bonlarran. I'm the director of Legislative
15 Affairs for Palm Beach County. And first I'd just like to
16 thank Chairman Laurent, Chairman Webster and the other
17 members of this committee and the larger reapportionment
18 committee for making this an open process and giving us an
19 opportunity to come here and comment before you today as
20 well as for traveling down to Palm Beach County and
21 scheduling two meetings in our county to speak with our
22 local residents down there and hear some of their issues
23 and what they think about reapportionment and how it should
24 be in Palm Beach County.

25 I'm here on behalf of the Board of County

1 Commissioners. We have seven members of the Board of
2 County Commissioners representing over 1.1 million people
3 in Palm Beach County. And on Tuesday of this week, our
4 Board of County Commissioners took up a resolution and
5 asked me to come to speak to you before -- speak to you
6 today about some initial concerns that they had with some
7 of the earlier reapportionment plans for drawing Senate
8 lines within Palm Beach County and just to initiate some
9 conversations with this committee to see how we might work
10 together to see about getting some representation in Palm
11 Beach County that was more equitable to our population.

12 We have submitted to the committee a copy of that
13 resolution along with other letters of support from other
14 organizations in the community. Just briefly, I would just
15 like to read just a few brief segments of this resolution
16 just to let you know exactly what we are trying to do. In
17 one of the "whereas" clauses we said, Proposed Senate
18 districts continue to raise concerns regarding the
19 fragmentation of the community of interest established in
20 Palm Beach County, the need to provide county residents
21 equal representation and respect for the county's
22 geographic boundaries.

23 The Board of County Commissioners hereby urges the
24 Florida Senate to reexamine their proposed apportionment
25 plan by minimizing overlap of senatorial districts in

1 counties outside of Palm Beach County and that have asked
2 for -- to be resolved, that the Board of County
3 Commissioners request the Florida Legislature to amend
4 proposed Senate apportionment plans such that Palm Beach
5 County residents comprise a majority of the constituency in
6 at least three of the newly-created Senate seats.

7 We believe, based on our population and our community
8 of interest, and also in relation to other counties around
9 the state that we warrant representation of at least three
10 Senators that comprise a majority of their constituency
11 base in Palm Beach County.

12 I would like to briefly read a list of other
13 organizations that have submitted letters to this committee
14 in support of what we were trying to do on the county
15 level: The Delray Beach Chamber of Commerce, WESTPAC, the
16 Associated General Contractors, the Voter's Coalition,
17 Palms West Chamber of Commerce, Northern Palm Beaches'
18 Chamber of Commerce, the Boca Raton Chamber of Commerce,
19 the Palm Beach Civic Association, the Realtors' Association
20 of the Palm Beaches, BIZPAC, the Economic Council of Palm
21 Beach, and the city of West Palm Beach as well.

22 We believe that based on our population and the
23 populations of Broward County and Dade County and
24 Hillsborough County, and based on how reapportionment has
25 played out in those particular counties, that we should

1 warrant at least three seats that are based with a majority
2 of their constituency base in Palm Beach County.

3 I'd also like to note that our efforts locally is not
4 based on any type of partisan plan that anyone has. We are
5 here united today as a group of Republicans, of Democrats,
6 of people who represent working individuals in Palm Beach
7 County to just come and share with you some of the general
8 feelings that we believe that the constituents and
9 residents in Palm Beach County have regarding these first
10 initial proposals.

11 We'd also like to say that we have experienced and
12 enjoyed a great relationship working with those Senators
13 who represent Palm Beach County who do not reside in Palm
14 Beach; Senator Geller, Senators Pruitt, Sanderson, and
15 Dawson, formerly, Senator Jim Scott. We have enjoyed a
16 wonderful relationship working with these individuals and
17 look forward to continuing working with them. But we also
18 understand that the dynamics of the state and also in terms
19 of term limits, we might not always have them in those
20 seats.

21 So we just want to guarantee for our residents and
22 based on some of the projected growth that we're projecting
23 in our county over the next ten years that we do have that
24 representation in Tallahassee and the Senate. And we
25 appreciate you working with us and we also hope that we can

1 continue these conversations and you'll allow us to work
2 through our legislative delegation to obtain some of these
3 goals as set forth in our resolutions. Thank you.

4 CHAIRMAN LAURENT: Thank you very much. Are there any
5 questions from the committee? (No response.) Thank you.

6 Next speaker is James Titcomb. Thank you very much.
7 Did I pronounce your name right, sir?

8 MR. TITCOMB: Titcomb, yes. Thank you very much.
9 Good morning and thank you, Honorable Chair and Senators,
10 for allowing this public process to take place to review
11 the issue of reapportionment and redistricting. I'm going
12 to be very brief. I echo the comments of our Senator Klein
13 and Todd Bonlarran and all the other associates that are
14 here with me this morning.

15 I'm the executive director of the Palm Beach County
16 League of Cities, which is a regional League of Cities that
17 represents 37 incorporated municipalities in Palm Beach
18 County. Like my colleagues here today, I came up here to
19 express the interest of our cities in urging you for fair
20 and equitable distribution of representation when it comes
21 to reapportioning in Palm Beach County.

22 We also would urge you to create a minimum of three
23 residential senatorial districts for Palm Beach County
24 based on the facts and figures you've heard thus far today
25 in its growth, its size, its scope. Many of you know our

1 county. We've been the poster child of the National Press
2 Corps for about the last year and a half on all kinds of
3 issues. But we have a vibrant, growing, and like-minded
4 community that needs representation here and as Todd had
5 said before me, we enjoy the relationship we've had with
6 all our Senators over the years. We want to maintain that
7 excellent level of representation for our cities which are
8 of every persuasion politically, have every interest from
9 the coastal regions to the agricultural regions. And we
10 urge you to do everything you can to create fair and
11 equitable representation for us.

12 And I thank you for your consideration on this. Just
13 underscore my presence here today. I'm missing my board of
14 director's meeting because they wanted me to be here to let
15 you know that all the cities of Palm Beach County are
16 standing united with the Board of County Commissioners, our
17 delegation, the business community and all the other
18 interests to urge you to look out for our representation.
19 Thank you very much.

20 CHAIRMAN LAURENT: Are there any questions? (No
21 response.) Thank you very much. The next speaker is Al
22 Zucaro, Jr. from the city of West Palm Beach.

23 MR. ZUCARO: Thank you, Chairman. Good morning,
24 ladies and gentlemen and Senators. My name is Alfred
25 Zucaro. I want to tell you that I also echo some of the

1 remarks that have been presented here already. And you'll
2 probably hear that all day long because there is a
3 significant unity amongst the residents in Palm Beach
4 County with regards to this particular issue.

5 By way of introduction, I want to tell you that I'm a
6 resident of the state of Florida and of Palm Beach for the
7 last 20 years of my life. I'm an attorney and a member of
8 the Florida Bar with practice primarily in the area of
9 immigration law. I've also had -- my practice also covers
10 child advocacy, criminal and family matters. I'm a
11 businessman over the last four or five years of my life
12 concentrating on international affairs and economic
13 development. And I'm a four-term elected official in the
14 city of West Palm Beach. I'm a sitting city commissioner
15 today and I was the immediate past president of the City
16 Commission for West Palm Beach in the year 2000/2001.

17 And just so it does not go unsaid, I'm a potential
18 candidate for District 35 as I have filed a notice of
19 intent to run for that district and wanted that to be as
20 part of my comments here today. The overall sentiment that
21 you're hearing today is it is across the board. It is
22 nonpartisan and it is reflective of the concerns that have
23 been raised out of the district as it is currently
24 comprised. Appreciate the fact that you have brought
25 forward some changes that have made it less offensive to

1 the citizens of the city of Palm Beach County but it still
2 remains a very difficult area for us as a community to
3 accept and we're here today to encourage you.

4 By way of background, the city of West Palm Beach is
5 the largest municipality in Palm Beach County and it is
6 centrally located. It is the capital city and it operates
7 under a strong mayor form of government with five city
8 commissioners comprising the legislative body.

9 On January 7th of 2002, just four days ago, the City
10 took up a resolution, Resolution No. 48-02. And I brought
11 a certified copy here that I would like to introduce into
12 the record and leave with this committee. And I will not
13 take the time to read the entire thing, except I would like
14 to read two minor excerpts out of it which is basically the
15 meat of the argument.

16 In Section 2 it says, The city of West Palm Beach
17 believes that the proposed Senate redistricting maps are
18 not in the best interest of voters of Palm Beach County and
19 hereby requests the Florida legislative body to adopt an
20 apportionment plan in which Palm Beach County residents
21 comprise a majority of the constituencies and the
22 senatorially representative districts created to represent
23 the county's residents.

24 And in Section 3 it goes on to say, The city of West
25 Palm Beach requests that such reapportionment plan creates

1 senatorial and representative districts of nearly equal
2 population arranged in a logical and compact geographic
3 pattern and that promote fair representation.

4 That's the official position of the city of West Palm
5 Beach on behalf of our mayor and on behalf of the
6 legislative body. I brought it here today to underscore
7 how important this is to us as a city and as part of the
8 community of interest known as Palm Beach County. Thank
9 you for allowing me the opportunity to speak here today.
10 And I will submit this to the clerk. I don't know who will
11 get it.

12 CHAIRMAN LAURENT: Just wait one second. You can
13 bring that up here. Any questions from any of the members?
14 (No response.) Okay. You can bring it up if you would.
15 Thank you.

16 The next speaker is Donna Brosemer representing the
17 REC.

18 MS. BROSEMER: Good morning, Senators. I am Donna
19 Brosemer. I'm here on behalf of the Republican party of
20 Palm Beach County where I serve as the vice chair of
21 communications for the Board of Directors. This week we
22 passed a resolution that addresses our concerns regarding
23 the process of redistricting as opposed to a particular
24 plan.

25 And I have also been asked to relay to you that

1 because there is no representative here today from the
2 Democratic party of Palm Beach County, that I can safely
3 say that they share the sentiments that are expressed in
4 this resolution. It is brief and it is as follows: The
5 Republican executive committee of Palm Beach County views
6 with extreme concern any proposed redistricting plan of the
7 Florida Senate which is not in the best interest of the
8 voters of Palm Beach County and represents unfair and
9 inequitable treatment of our citizens.

10 Palm Beach County is Florida's third most populous
11 county approaching 1.2 million residents and contains more
12 than 7 percent of Florida's population. Currently, Palm
13 Beach County has two State Senate districts that are based
14 in this county. Under an equitable plan, this county is
15 entitled to three Senate districts with voting bases
16 centered in our county. It would be unfair to have Palm
17 Beach County residents' contiguous voting interest diluted
18 by stretching portions of other far-reaching Senate
19 districts into our county.

20 Any such proposed plan is not responsive to the needs
21 of our voters and to the stated wishes expressed by local
22 residents in the public hearings in Palm Beach County last
23 September. It would be unacceptable and unfair to the
24 county.

25 In those hearings, the strong, often repeated message

1 from our residents was that we wanted compact and
2 contiguous districts where the majority of the district's
3 population resided in Palm Beach County. We request that
4 the Senate reapportionment committee make every effort to
5 ensure that the interests of Palm Beach County residents
6 are addressed. Thank you.

7 CHAIRMAN LAURENT: Are there any questions from the
8 members? (No response.) I'm just glad we got a bipartisan
9 response.

10 MS. BROSEMER: I'm happy to bring the message.

11 CHAIRMAN LAURENT: Armando Nault.

12 MR. NAULT: Good morning, Mr. Chair, Senators. My
13 name is Armando Nault, I'm the legislative director for the
14 Professional Firefighters and Paramedics of Palm Beach
15 County. I represent approximately 1500 firefighters
16 throughout Palm Beach County including unincorporated areas
17 and municipalities, integrated fire service, EMS, and fire
18 services.

19 First, as firefighter, I want you to know that we are
20 very proud of all the representatives that we have in Palm
21 Beach County and who serve our residents. I think we're
22 quite fortunate in one respect that we have six Senators in
23 Palm Beach County and I'm convinced that they all have a
24 vested interest in Palm Beach County and serve them quite
25 well.

1 We are here just simply to echo the thoughts that have
2 been said today and to support Palm Beach County's request
3 for an equitable number of Palm Beach County Senate seats.
4 As a representative and an employee group, we represent not
5 just members of firefighters like in FRS that we come to
6 the State with all the time but also municipalities dealing
7 with a number of issues. We feel it's quite important to
8 our firefighters and our families that we have the number
9 of Senate seats in Palm Beach County based and again just
10 echo all the thoughts that were here and appreciate your
11 time and the opportunity to address you.

12 CHAIRMAN LAURENT: Thank you. Is there any -- go
13 ahead. Are there any other members of the public who wish
14 to comment?

15 SENATOR KLEIN: Mr. Chairman, if I could be
16 recognized. One other thing I wanted to mention is I had
17 received and I think there were letters directed to you and
18 Senator Webster from residents of Palm Beach County and I
19 think some of the resolutions and things in the form of
20 about 250 letters that came from residents of Palm Beach
21 County related to the same things that were expressed here
22 today.

23 So I just wanted to state that for the record. In my
24 comments, I did not bring it up. Just a lot of spontaneous
25 reaction again from areas of the western part of Boynton

1 Beach, Delray Beach, Boca Raton, that the district is being
2 drastically changed and that the representation pattern is
3 being changed and we're moving -- having one Senator and
4 those kinds of things are all represented in these letters
5 and I know they've been submitted to you. I just wanted to
6 let the committee know that.

7 CHAIRMAN LAURENT: Thank you. Any comments or
8 questions from the members? Senator Wasserman-Schultz.

9 SENATOR WASSERMAN-SCHULTZ: Thank you, Mr. Chairman.
10 I have one quick procedural question and then one more
11 substantive one if I might. As we go through this process
12 how is the amendatory process going to be working -- are we
13 when we want to file an amendment to this particular map,
14 will we be asked to file it -- will it be okay to file it
15 in pieces or will each amendment have to be a whole plan?

16 CHAIRMAN LAURENT: The amendment will have to be to
17 the whole plan.

18 SENATOR WASSERMAN-SCHULTZ: Okay. Thank you. And you
19 mentioned in your opening comments that one of the things
20 that you did take into consideration when drawing the map
21 or maps was the public's testimony. What aspects of the
22 public testimony did you consider? In other words, when
23 communities talked about not wanting to go -- when
24 southwest Florida, both of which hearings I was at,
25 adamantly sent us the message that they did not want to go

1 across southwest Florida to southeast Florida in districts
2 that connected, did you consider that type of testimony in
3 drafting this plan?

4 Did you consider municipal and county boundaries? You
5 do have Senate District 35 being a coast-to-coast district
6 which was indicated strongly in Palm Beach they didn't want
7 that. So what kinds of things in the public testimony did
8 you consider in drafting your plan?

9 CHAIRMAN LAURENT: Yes, I mean, we did take that
10 testimony to heart. And if you will notice that in the
11 current plan there are two coast-to-coast districts. In
12 this plan, there is one coast-to-coast district. In the
13 current plan, the district that we're talking about, which
14 was Senator Rossin's district, there were parts of six
15 counties in the district.

16 We were able to reduce that down to three counties.
17 To be very honest with you, I really attempted not to have
18 any coast-to-coast districts. I've not been able to create
19 a plan that did not include a coast-to-coast district. And
20 what I want to emphasize to the members, we're open to
21 suggestions. If we have certain constraints upon us,
22 certain realities there is -- I mean, Senator Dawson's seat
23 stretched in between the two counties and that seat will
24 continue to be there under any plan stretched between two
25 counties.

1 If you have Senator Dawson's seat, you're going to
2 have a coastal seat. And then you just have to -- if you
3 have suggestions, if you have a better idea for this area
4 of the state, I'm open to it.

5 SENATOR WASSERMAN-SCHULTZ: May I ask a follow-up?

6 CHAIRMAN LAURENT: Yes.

7 SENATOR WASSERMAN-SCHULTZ: Just to broaden out the
8 consideration of the public testimony. I was also at the
9 Marion County hearings where they were also pretty
10 adamant about not -- I mean, although they loved all the
11 people that represented them now, they felt they were
12 bisected into too many districts and that they wanted to
13 pull into fewer Senators representing them. In fact, they
14 wanted only one. They felt their population only justified
15 one Senator representing the whole county. You went from
16 three to four in this plan. So that seemed to be contrary
17 to what the community asked for.

18 CHAIRMAN LAURENT: I agree. There were several
19 counties particularly that had concerns about that. One
20 was Bay County and one was Marion County. But the problem
21 is the adjacent counties said the same thing. And if you
22 hold all the -- somebody is not going to be whole. If you
23 do one man, one vote or one person, one vote, somewhere
24 there are going to be counties that get impacted. If
25 you'll notice for example Senator Mitchell's district, we

1 went from, I think, parts of 13 counties to parts of eight
2 counties. It is still a district that I would hate to try
3 to serve.

4 SENATOR WASSERMAN-SCHULTZ: Me too.

5 CHAIRMAN LAURENT: But it used to be Nausau County and
6 that's a district that still any suggestions, we're still
7 open for suggestions. But what I'm saying, all those
8 counties, Levy County, Dixie County, all those little
9 counties that were split said, We don't want to be split,
10 and we tried to take that into account as much as possible.
11 But unfortunately there are going to be certain areas --
12 certain counties that are going to have to be split if
13 you're going to come anywhere close to one person, one
14 vote.

15 SENATOR WASSERMAN-SCHULTZ: Okay, Mr. Chairman, just
16 to finish up and then I'm done. I guess that's what I'm
17 driving at is how did you decide in terms of priority when
18 Marion asked for what they asked for and the surrounding
19 counties did too, how did you prioritize around the state
20 on whose priorities were more important? Why did you
21 arrive at the decisions you did based on the public
22 testimony we had in choosing one community over another and
23 what were your considerations?

24 CHAIRMAN LAURENT: Well a lot of consideration was
25 input from members. A lot of consideration was how you

1 dealt with the minority access. A lot of the consideration
2 was -- I mean, if you could make three counties whole there
3 will be one broken up -- I mean, there is no -- I don't
4 have any specific way -- I didn't have a standard that I
5 went through and said, I will listen to these people and
6 not these people, but just simply tried to do the best we
7 could and I'm still open for suggestions on trying to -- if
8 you can figure out a -- we're open.

9 If you can show me how to follow the law, listen to
10 the members, and not break up Marion County, I'm open to
11 it. Senator Geller.

12 SENATOR GELLER: Thank you, Mr. Chair. First a
13 question. Are we dealing now specifically with the map or
14 are we also including general questions? I thought I heard
15 you say we're going to go through the map first and go over
16 procedures after that. How do you want us to do this,
17 Mr. Chairman?

18 CHAIRMAN LAURENT: I'd like to discuss the map first
19 and then when we get through, anything else.

20 SENATOR GELLER: Thank you, Mr. Chairman, I have two
21 specific -- if you do this everything will be fine. I know
22 how to use the software, I just don't know how to use
23 computers.

24 I have two questions or concerns. The two seats
25 that -- obviously there are a number of seats I have some

1 concerns about, probably the two I have the biggest
2 concern, as we discussed, Mr. Chair, are the cross-state
3 seat and the seat currently down in north Florida by
4 Senator Mitchell.

5 I just -- I represent Hendry County right now and I'm
6 very pleased and proud to represent the fine people of
7 Hendry County who actually even like me. But they were
8 awfully clear in the public testimony they had there, in
9 public testimony in Palm Beach County, and the public
10 testimony in southwest Florida, all three of them said that
11 they didn't want a coast-to-coast seat.

12 The folks in Hendry were just terribly concerned that
13 when you go from one coast to the other coast that their
14 interests are simply not included. There are things that I
15 believe could be done if you included a marginally Palm
16 Beach based seat fairly in the western part of Palm Beach,
17 certainly west of 95, possibly west of the turnpike but go
18 up through Hendry, Glades, perhaps parts of Highlands or
19 Okeechobee you could have -- and maybe even in the western
20 part of Martin -- you could have a seat that is fairly
21 dominant in the agricultural portion of western Palm Beach,
22 maybe 200-, 250,000 in western Palm Beach County.

23 And then when you take in, again, the western
24 agricultural portions of Martin, perhaps even St. Lucie,
25 Hendry, Glades, perhaps parts of Highlands or Okeechobee,

1 you can have a heavily agriculturally-influenced seat based
2 out of Palm Beach County that does not go from coast to
3 coast. I do feel an obligation as a Senator representing
4 Hendry County to try and adhere to their wishes and they
5 could not -- they said, We love Senator Geller, he's
6 terrific, but we don't want to be part of another
7 coast-to-coast seat. So that's a concern they have on that
8 seat.

9 CHAIRMAN LAURENT: Same thing in response, I mean,
10 those are the trade-offs. The current seat was in Palm
11 Beach, parts of Marion County, parts of Okeechobee County,
12 parts of Glade County, parts of Charlotte County and parts
13 of Lee County. The folks in Charlotte and Lee and Glades
14 said the same thing. Now their needs are, you know, in the
15 solution to not putting Hendry in a coast-to-coast is to go
16 up into the central part. From the public testimony, I'm
17 not sure if that furthers what those counties had indicated
18 they wanted. But this is like a balloon. You push it one
19 place, it pokes out someplace else. And --

20 SENATOR GELLER: Brief follow-up, Mr. Chair. I know
21 the balloon problem. It's a jigsaw puzzle. And the
22 problem is the jigsaw puzzle and all the pieces aren't
23 even. But you can do that without -- I heard what the
24 folks over in Charlotte County said also. And I think a
25 lot of their concerns would be ameliorated also if the seat

1 in western Palm Beach was more in western Palm Beach. And
2 also if it was -- if the western portion -- if you stay
3 only to the eastern portion of Charlotte, if you stay away
4 from the coastal portion, if you stay in the agricultural
5 portion and then you take in the agricultural portions of
6 Hendry, the agricultural portions of Collier, the
7 agricultural portions of Glades, the agricultural
8 portion -- I mean, you can have a seat that is still a Palm
9 Beach based seat but which is also a seat that is heavily
10 agricultural and I think the people would be happy on.
11 We'll work more on this, Mr. Chair.

12 The other concern that I, again, had -- there are some
13 other seats I have some concerns on. But the other major
14 concern is that north Florida seat. As you said, I don't
15 know how far a drive it is from Jefferson County to the
16 Hamilton -- sorry, the Columbia/Baker county line. If you
17 have to take in Baker County there, it still is not as far
18 a drive to have to drive from Jefferson County all the way
19 down to the Hernando -- the southern boundary of Hernando.
20 It may have decreased the number of counties in it, but you
21 cannot serve that district by far. You have to have plane
22 or helicopters or something. It's just -- from one area --
23 from one extremity of the county to the other, it's simply
24 too far.

25 CHAIRMAN LAURENT: Honestly, I agree with you. That

1 would be a very tough district to serve. However, the
2 district is a lot better than the current district. And
3 I'm still open on that part of the problem, as those
4 counties are very small and there aren't any significant
5 population basis and the other counties with 15-, 20-,
6 25,000, it takes a lot of counties to add up to 400,000
7 folks. And, again, I'm open on that. It is a -- would be
8 a tough district to serve. It's an awful lot easier to
9 serve on this map than the current map.

10 SENATOR GELLER: Mr. Chair, if I could just follow up
11 on that and then I'll be finished. If you would reduce the
12 number of counties, when I say "you," I don't mean you
13 specifically. This map reduces the number of counties but
14 increases the geographic distance apparently from -- if you
15 drive from one -- from the Jefferson County down to the
16 Pasco County line, that is further geographically and it's
17 pretty clear just looking at it, that it is under the
18 current seat from Jefferson to Nassau. So I'm just saying
19 it appears that you've increased the driving distance,
20 maybe I'm wrong, but that appears to be the case.

21 CHAIRMAN LAURENT: Well the current line is from
22 Jefferson to Hernando.

23 SENATOR GELLER: Right.

24 CHAIRMAN LAURENT: And the current is from Jefferson
25 to Nassau. Okay. We cut off a significant -- I mean,

1 significant mileage up at the top and added smaller mileage
2 at the bottom. It is still a tough district and I would
3 not represent anything else.

4 Senator King.

5 SENATOR KING: Thank you, Mr. Chairman. I guess I
6 have the advantage of being one of only I think it's four
7 or five people in the Legislature who have actually been
8 through this once before. And in regard to that, let me
9 just say what probably now is becoming more and more
10 obvious to everyone is that there is no perfect solution.

11 Although the north Florida district that you're
12 talking about is eight counties rather than 16 and covers a
13 large distance, there are many examples of that. My own,
14 for example, goes from the Georgia line to Daytona. And
15 that's a long distance to cover as well in my car but it
16 can be done.

17 I think we have to view the fact that just because we
18 think something is right for an area that we may be more
19 close to than some other areas, recognize the fact that
20 when this whole thing is done you're going to have some
21 districts that are big. You're going to have some
22 districts that are spread out. And there has been an
23 argument since 1992 when we last did this as to whether or
24 not counties that were divided up by representation fared
25 better or fared worse by being divided up.

1 A lot of the counties that you talk to will tell you,
2 Hey, I like the fact that I've got four Senators instead of
3 one because by doing so at least I have representation by
4 force, one to one falls out of favor or doesn't do a job or
5 whatever and collectively a lot of the counties in which I
6 serve and sometimes -- well, for example, I serve in
7 Marion. And I think the last count I saw, Marion had
8 something like 13 legislators and they do quite well in
9 things that pertain to funding and things that pertain to
10 programs.

11 But whatever we do, the bottom line is whatever we do,
12 you're going to have some districts that are going to look
13 like the yellow district or my district over there on
14 eight. And I guess I'm also not sure I understand what the
15 difference is if you stay inland and go county to county.
16 Why is that worse than if you're going coastal and going
17 north to south? You're still covering an amount of
18 territory and I'm not so sure there is any vast difference
19 in the philosophy if you're going from right to left then
20 if you're going from north to south. Thank you,
21 Mr. Chairman.

22 CHAIRMAN LAURENT: Was that question directed to
23 Senator Geller?

24 SENATOR KING: Yes.

25 CHAIRMAN LAURENT: Senator Geller.

1 SENATOR GELLER: No. Follow-up, Mr. Chair. Senator
2 King, the concern I had and speaking briefly for Senator
3 Klein as well. I was there for the public testimony and
4 I'm trying to represent my constituents in that area and I
5 heard clearly what they said. And they said, as you said,
6 the question of whether or not you should be one or four
7 and the question of whether or not -- there were some
8 people that said, Well we don't want to be part of just a
9 rural seat because we're afraid that will not have enough
10 clout.

11 But the general consensus in Hendry County was as they
12 said at the public hearing in La Belle, and there were a
13 lot of folks that said it, is that they did not want to be
14 part of the seat that went from one coast to the other,
15 that they were concerned about, you know -- I guess they
16 are correct that they are concerned about the dominant
17 issues being -- again, in my seat, I do my best to
18 represent Hendry County, 80 percent, 85 percent of my
19 population is an urban population which has very different
20 concerns in the rural population.

21 I do my best to represent everybody but it's tough.
22 And they said that they do not want that. They expressed
23 concerns about regional, you know, which water control
24 district they were in whether it is South Florida Water
25 Council, whatever it is. The SWFWMD, you know, which

1 regional transportation councils they were in.
2 So they did have some valid concerns as to where they
3 were and I promised them at the hearing that I would do my
4 best to ensure that they are not part, again, of a district
5 that goes from one coast to the other when there are ways
6 around it.

7 SENATOR KING: Mr. Chairman, follow-up.

8 CHAIRMAN LAURENT: Yes, Senator King.

9 SENATOR KING: Senator Geller, just so I understand,
10 would they be content going north to south, multicounty?

11 SENATOR GELLER: Yes, sir, absolutely. That was their
12 testimony, that they will be a lot more content going north
13 to south. If you go north you're in Glades County. If you
14 go north of that, you're in Highlands County --

15 SENATOR KING: So their interest wasn't necessarily
16 staying in Palm Beach. Palm Beach could go north/south.

17 SENATOR GELLER: Their interest was they didn't want
18 to be linked to both a Palm Beach and a Naples based seat
19 because they felt that there were not enough of them to
20 make any difference. There is 35,000 people in Hendry
21 County. They are an agriculture community.

22 If they are linked with the western portion of Palm
23 Beach which is agricultural, perhaps their link to the
24 eastern portion of Collier which is agricultural, Glades,
25 the western portion linked to the eastern portion of

1 Charlotte, they just want to be part of other agricultural
2 communities, what they did not wish to happen, if you go
3 north and south. What they don't want to happen is to be
4 150,000 in Palm Beach, 200,000 in Collier, so somebody has
5 to satisfy coastal concerns and worry about agriculture.

6 CHAIRMAN LAURENT: Just for the membership's benefit,
7 the gray district there in the center happens to be mine --

8 SENATOR GELLER: And a fine district it is.

9 (Laughter.)

10 CHAIRMAN LAURENT: I picked up two counties. I picked
11 up -- you know, Glades was not in my current district. I
12 picked up Hardee County which is not in my current
13 district. And that district is now becoming, continue to
14 add counties to it, will become more like District No. 4,
15 being a district that is very difficult to serve. I just
16 thought I'd throw that out.

17 But, again, what I want to emphasize is this process
18 is open. I've talked to every member. I talked to some
19 members quite often. If you've got concrete suggestions,
20 I'll entertain them. But you have to recognize that -- how
21 you're impacting the rest of the membership. And the other
22 thing to take into account, the southwest part of Florida
23 has had explosive growth. That area of the state is one of
24 the fastest growing areas of the state. And that has had
25 an impact on how this matter grows. It's grown -- Lee

1 County and Collier County and Charlotte County, there has
2 been explosive growth in that area also.

3 Okay. Senator Geller.

4 SENATOR GELLER: Senator King, Senator Laurent just
5 showed me his district. Just as an example, based on the
6 testimony of the folks in Hendry County, they'd be quite
7 comfortable -- Senator Laurent might not want to have to
8 drive that much further -- they'd be very comfortable being
9 added to Senator Laurent's seat which is a north/south seat
10 which does take it pretty far but it has the same
11 commonality of interest which they don't feel in the seat
12 that goes coast to coast. So I just want to clarify what
13 their views are. Thank you, Senator.

14 CHAIRMAN LAURENT: Any other questions or comments
15 from the members? Okay. Senator Holzendorf.

16 SENATOR HOLZENDORF: Thank you, Mr. Chairman.
17 Mr. Chairman, as you know, my concern is about the minority
18 seats and how we arrived at them. I know that the legal
19 term is that you cannot have regression. But I'm looking
20 in the map at how you made your determination of minority
21 population. And you said non-Hispanic blacks including
22 multiracial. I guess my concern is why did you include
23 multiracial with the non-Hispanic blacks rather than the
24 Hispanics or with the non-Hispanic whites? Because it
25 appears to dilute the African-American percentage in those

1 CHAIRMAN LAURENT: Staff has indicated they can get as
2 detailed a breakdown of that as you want. I don't have
3 that information available.

4 SENATOR HOLZENDORF: I'd like to see that particularly
5 for the districts. I've been going on the basis --

6 CHAIRMAN LAURENT: Which districts are you
7 particularly interested in? Do you want them all?

8 SENATOR HOLZENDORF: Yes, all of them.

9 CHAIRMAN LAURENT: Okay. That's fine.

10 SENATOR HOLZENDORF: Because you can't change a map
11 unless you change everything, right?

12 CHAIRMAN LAURENT: Excuse me?

13 SENATOR HOLZENDORF: You can't just change a part of
14 the map, you have to do the whole map, right?

15 CHAIRMAN LAURENT: That's correct.

16 SENATOR HOLZENDORF: Okay. So I have to see it all.
17 That's the only way you can do that.

18 CHAIRMAN LAURENT: Senator Lawson.

19 SENATOR LAWSON: Thank you very much, Mr. Chairman. I
20 wanted to know, did you consider the term limits in
21 assigning the numeric order of districts?

22 CHAIRMAN LAURENT: Excuse me?

23 SENATOR LAWSON: Did you consider term limits in
24 assigning the numerical order of the districts in terms of
25 how long a person can serve?

1 districts and we cannot get a clear picture of what the
2 African-American percentage is.

3 CHAIRMAN LAURENT: Senator Holzendorf, the census
4 allows someone to list themselves as more than one race.
5 They can list themselves as African-American, an Asian
6 African-American and Caucasian -- if they listed themselves
7 as African-American and another racial group then they were
8 included in the African-American numbers. That was a
9 fairly small percentage.

10 SENATOR HOLZENDORF: But what if they included
11 themselves as a Hispanic and something else? Did you put
12 them in Hispanics?

13 CHAIRMAN LAURENT: Hispanic is a separate category and
14 a Hispanic and black is a separate category.

15 SENATOR HOLZENDORF: I understand. But -- okay. Just
16 if you look at how we have this, it says, Hispanic
17 excluding Hispanic blacks. Then it says, Non-Hispanic
18 blacks including multiracial. Can I just get a number of
19 what the number of the multiracial is because --

20 CHAIRMAN LAURENT: They are listed in each -- I'm not
21 sure I understand the question.

22 SENATOR HOLZENDORF: See, when you get to -- you did
23 that when you talk about the total population when you get
24 to the voting age population. But when you get to
25 registered voters you do not do a breakout of multiracial.

1 CHAIRMAN LAURENT: Basically what we did was to listen
2 to the members on that and try to reflect their interest.
3 For example, my number only gives me four years and not six
4 years. That way I won't be tempted to run again.

5 (Laughter.)

6 Some other members -- different members had different
7 issues there and I tried to listen to the members.

8 SENATOR LAWSON: Mr. Chairman, the odd number is six
9 years or eight?

10 CHAIRMAN LAURENT: Odd number gets two years. No, no,
11 odd gets two, even gets four. And then you have to plug
12 that into your specific circumstance to determine how it
13 impacts your -- how long you can serve.

14 SENATOR LAWSON: Well, I want to make sure I
15 understand that because I'm going to have to report.
16 Since -- for example, that means that in Senate District 3
17 if I'm fortunate to be elected, I serve eight years, right?

18 CHAIRMAN LAURENT: If you served four then you would
19 serve another four, would be eight, yes.

20 SENATOR LAWSON: You get elected for two then you run
21 again and then you run for four.

22 CHAIRMAN LAURENT: (Nods affirmatively.) Yes. Then
23 that would be a total of ten, not eight.

24 SENATOR LAWSON: The courts does it?

25 CHAIRMAN LAURENT: Yes. Any other questions? Senator

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1 Smith.

2 SENATOR SMITH: Thank you, Mr. Chair. What

3 redistricting criteria if any did you use in drafting the

4 plan? Are you prepared to set that forward at this time?

5 CHAIRMAN LAURENT: There is no written criteria and

6 there was no preset criteria. When we started out before,

7 I think Senator Webster has made it clear, he wanted the

8 plan to be open. He wanted it based on public input and he

9 wanted it based on member input. So we looked at virtually

10 everything when we crafted a plan. There isn't any

11 specific adopted criteria on this plan.

12 SENATOR SMITH: Follow-up questions, Mr. Chair.

13 CHAIRMAN LAURENT: Yes, sir.

14 SENATOR SMITH: Did you consider having an overall

15 deviation?

16 CHAIRMAN LAURENT: No.

17 SENATOR SMITH: Did you consider protection of

18 incumbents as a criteria?

19 CHAIRMAN LAURENT: That is not a criteria but in

20 listening to members, I'm sure that's an issue that has

21 been addressed.

22 SENATOR SMITH: Did you seek to increase the number of

23 minority districts?

24 CHAIRMAN LAURENT: Not specifically.

25 SENATOR SMITH: Did you give consideration to the

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1 census undercount?

2 CHAIRMAN LAURENT: No.

3 SENATOR SMITH: If I may, Mr. Chairman, at this time,

4 I would like the opportunity to state a motion.

5 CHAIRMAN LAURENT: State the nature of the motion,

6 please.

7 SENATOR SMITH: Motion would be in the nature we adopt

8 specific criteria to guide us and to tell the public what

9 the criteria are we are using so as each member proceeds to

10 draw their particular map, if they seek to do so under the

11 amendatory rules of an entire map, and as the public, as

12 they've done today, comes forward to talk to us about a

13 proposed map, that we will have stated at least a set of

14 consistent criteria that everyone will uniformly apply in

15 drawing their maps. I have specific criteria that I would

16 propose.

17 CHAIRMAN LAURENT: One, I'm not sure if that motion

18 would be in order. This is a workshop. It's not a

19 committee meeting. The idea was we would not be voting

20 today and I don't think it would be appropriate to take

21 that motion and vote in the workshop.

22 SENATOR SMITH: Mr. Chairman --

23 CHAIRMAN LAURENT: Well, one second. Senator Lee?

24 SENATOR LEE: Mr. Chair, on that subject and I'm not a

25 lawyer and I don't understand -- I don't really understand

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1 what I've read at times about all this case law that has

2 been developed around this subject over the decades that

3 this has been done.

4 But the -- so I guess I said as a preface the fact

5 that I -- I do understand the differentiation between

6 colors though fortunately and so I understand what we have

7 here. I guess what my question is, I mean, hasn't the

8 criteria for developing reapportionment plans essentially

9 been established by a litany of guidance that's been

10 received by Legislatures throughout this country, through

11 the Justice Department and the Supreme Court cases and what

12 have you? Don't those tend to provide guidance?

13 CHAIRMAN LAURENT: Certainly. There is a lot of

14 litigation. There is a lot of court cases.

15 Reapportionment is one of the more heavily litigated issues

16 every ten years. So we have paid attention to that. But

17 we have not adopted specific criteria because we really

18 haven't finished input from the public. But we have taken

19 input today and input from the membership. And if you

20 adopt your criteria without taking that, that shuts off

21 basically input and predisposes how the plan goes forward.

22 SENATOR LEE: I guess my question is, I mean, is there

23 some -- is there some legal obligation that one has to

24 develop criteria or is it the criteria that has been

25 established such in giving the criteria that frames the

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1 parameters of latitude that Legislatures have in doing

2 this, essentially being the guidance of our criteria, and

3 that is all the criteria anyone really needs to have, I

4 guess is my question.

5 There was a presumption in the way you said that and I

6 thought that perhaps there was some intent at some point to

7 develop some criteria and I'm wondering what the need for

8 that might be. Given the fact that everywhere I've gone as

9 I've talked to members and what have you, it was fairly

10 obvious, fairly well known out there that there are things

11 you can and can't do within the context of reapportionment

12 plans that are reflective of public policy and that the

13 courts have the time to intervene when those principles

14 have been violated.

15 CHAIRMAN LAURENT: Whether there is a need to develop

16 a criteria I think would be the will of the committee. I

17 personally don't believe we need to -- we do have the State

18 Constitution, we have the Federal Constitution, you do have

19 the Voting Rights Act to place constraints on any maps we

20 adopt. And anything we adopt would be measured against

21 that. That would be the will of the committee. But that

22 does also restrict, when you start adopting strict

23 criteria, your options and how you respond to the public

24 and the membership. Senator Smith?

25 SENATOR SMITH: Thank you, Mr. Chair, and I certainly

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1 respect your ruling on today's meeting being a workshop and
 2 I will not press my motion forward. But if I can get the
 3 opportunity, I'd just like to respond to Senator Lee's
 4 observations which I think are absolutely right. What I'm
 5 suggesting to this committee by way of motion when it
 6 becomes more ripe for consideration is that there are, from
 7 the cases, the Constitution and the laws, I think, certain
 8 overriding principles that have been set out and that will
 9 guide us and that frankly implicitly guide all that we do
 10 here.

11 The issue, however, is that most of the people who
 12 come before us and many of us -- and I am a lawyer and I'm
 13 certainly not a reapportionment lawyer and know less about
 14 that than I do my taxes. Having said that, I do believe
 15 that as we go forward, if we have criteria that are
 16 uniformly accepted and have guidelines that we ought to, as
 17 a committee, commit ourselves to follow those so that
 18 people who are trying to evaluate, draw amendatory maps or
 19 make public comment, not the preliminary public comment but
 20 public comment about proposed amendments and proposed maps
 21 to come forward, would know there is guidelines, one, two,
 22 three, four, and five.

23 To suggest that we have criteria and guidelines
 24 published and adopted to proceed with, I think, is not to
 25 preclude that you can have the catchall phrase -- and I'm

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1 not suggesting it would have to be dispositive of all
 2 things considered. But I think, as you have observed,
 3 there are guiding principles that are pretty clear to us.
 4 I respect and withdraw my motion for today because of your
 5 ruling today this is a workshop. But I don't want someone
 6 to think that I'm trying to draw criteria that are unique
 7 or different for us. I really think we're trying to take
 8 overarching principles and commit this committee to follow
 9 those overarching principles for ourselves and the public
 10 so that everybody is kind of drawing against the same set
 11 of rules. With that, we'll discuss it surely more when
 12 it's appropriate. Thank you, Mr. Chair.

13 CHAIRMAN LAURENT: Senator Meek.

14 SENATOR MEEK: Thank you, Mr. Chair. I guess when we
 15 do get to that point we can accept such a motion, that will
 16 help me. I got an E-mail from the big Chair about turning
 17 in your plans over the holiday week -- over the Christmas
 18 break and I didn't know exactly deviation and some of the
 19 things that I needed to know to put together a plan for the
 20 Chair.

21 So I think once we start defining those standards
 22 outside of, would you say, constitutionally and from the
 23 Justice Department and all these other different entities,
 24 I think it's important if we want this public input to be
 25 meaningful. So, Mr. Chair, I just want to chime in and say

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1 that it's important that we arrive at that point when we
 2 can accept such a motion so that we can get the best public
 3 input possible that can help us make some sound decisions
 4 up here and have the public input meaningful so they are
 5 not out in left field somewhere.

6 They don't know what criteria really to use. They
 7 have limited resources. I have a couple of groups in our
 8 district that's trying to draw a plan and they don't have
 9 the ingredients that they need to be able to do that.

10 CHAIRMAN LAURENT: Thank you. Senator
 11 Wasserman-Schultz.

12 SENATOR WASSERMAN-SCHULTZ: Thank you, Mr. Chairman.
 13 Just to continue the chiming. While -- as you've gone
 14 through this inclusive process of taking public input and,
 15 you know, you just indicated that you felt like adopting
 16 criteria would stifle the ability for us to move outside
 17 the criteria based on that public input. I mean, at a
 18 certain point we're going to start voting on these plans.
 19 And the schedule we got from the big Chair was that we were
 20 going to vote a plan out of here the first week of session.

21 If that's still the plan, then it would seem odd to me
 22 if we didn't have criteria adopted before we voted a plan
 23 out. Since you're going to take, I assume, knowing you've
 24 been intending and have been inclusive, that you're going
 25 to take public input all the way through the process. But,

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1 I mean, at some point I would think we should adopt
 2 criteria before we vote. Can you comment on that or will
 3 you do that? At what point will Senator Smith's motion be
 4 appropriate?

5 CHAIRMAN LAURENT: It's not been my intent to adopt
 6 any specific -- in advance, to the plan. And I've not
 7 heard any suggestions as to what the criteria should be.
 8 But that has not been my intent. But I'm willing to listen
 9 and go through it. Senator Wasserman-Schultz.

10 SENATOR WASSERMAN-SCHULTZ: Thank you, Mr. Chairman.
 11 Just one more quick one. So you're not intending to adopt
 12 criteria at all throughout your part of the process? I
 13 mean, we're integrally involved in the process of drawing
 14 plans and are far more familiar than the average person in
 15 our community. And as the plans have been sent out to the
 16 general public, how is a person in the general public not
 17 familiar with the nuances of reapportionment and the law
 18 and the Constitution and all that stuff, I mean, how are
 19 they -- if we use Senator Lee's argument which is that we
 20 kind of have people use all the criteria that ever existed
 21 out there in any state's consideration of a plan, that's
 22 asking -- that seems to me to be asking a bit much of an
 23 average person trying to give us input.

24 If we give them criteria, that gives them guidance and
 25 at least points them in a specific direction like the

1 example Senator Meek used for deviation. I mean, deviation
2 is a big deal when it comes to how you draw a map, what
3 happens to it, you know, whether you can keep counties
4 whole, municipals whole -- municipalities whole. So I
5 think that's what we're getting at. Can you comment on
6 that?

7 CHAIRMAN LAURENT: Yes. I was here during the last
8 reapportionment. There were no -- we didn't adopt
9 standards at that time. No one has been discussing this
10 with me until today. And to be honest -- but that has not
11 been my intent but I'd be glad to listen to the members.

12 Senator Holzendorf?

13 SENATOR HOLZENDORF: Mr. Chairman, assignment. I'm
14 looking at north Florida. And, you know, you can't have a
15 district surrounded by people who don't support the same
16 concepts. So I would like for you to look at Nassau
17 County, Baker County being more compatible with Leon,
18 Jefferson and Hamilton Counties than it would be with
19 Citrus, Hernando, and Pasco Counties.

20 And I'd also like for you to look at where Clay County
21 has been split which seems to be more compatible in terms
22 of people and geography with west Duval County rather than
23 going up into rural Nassau County.

24 So I would like for you to look at those things. And
25 also in the minority access seat because that's basically

1 map and that, I think, is what we need to be working on.

2 Just two questions as follow-up to Senator Smith's
3 motion which we're not going to have, but I have two
4 questions on that. In terms of as we progress towards a
5 real meeting and as you expressed a real willingness to
6 consider what standards we should use, I want to inquire on
7 003, which is the map we're currently considering. I just
8 want to ask a few standards to know. If you were looking
9 at those or if you were using those in the creation of 003,
10 the first one was compactness. Was that one of the
11 considerations in terms of preparing 003? If so, how did
12 you work on that or should I ask that of Lenny or the
13 attorney?

14 CHAIRMAN LAURENT: Basically, all the data and
15 information in the input was considered in developing the
16 map. I cannot say that compactness was elevated above
17 everything but it was one of the elements we viewed and
18 considered when we drafted this map.

19 SENATOR GELLER: One other question I had, sir, is in
20 terms of the political considerations that you took into
21 account, were you looking to maintain the current D or R
22 breakdown? Were you looking towards increasing one or the
23 other? If you were looking at that, what elections did you
24 use to determine whether the seat you were creating was a D
25 seat, an R seat? There are no I seats in this state

1 what it is until we can get the real numbers, that in Duval
2 County there are, in fact, more minority areas that were
3 left out in the effort to go where we did go. And
4 hopefully we'll go back and put those back in looking at
5 how the county has just been reapportioned to create their
6 own minority districts in Duval County. And I know they
7 just passed their redistricting bill. So they would have
8 an indication of where minorities are in Duval County. And
9 I would like staff to look at that if they would, please.

10 CHAIRMAN LAURENT: Senator Holzendorf, as I've
11 emphasized and you know, we're open to any input from the
12 membership. If you have suggestions, a specific suggestion
13 for your area in your district, we're open for suggestions
14 and we'll try to incorporate what we can to -- for the
15 membership. Senator Geller.

16 SENATOR GELLER: Thank you, Mr. Chairman. I just had
17 to make one comment before I got to my questions. Which
18 was, you just told Senator Holzendorf if she had any input
19 for her district that you'd take it. That in some respect
20 is where the problem is. You give me a great deal of input
21 into my district which I appreciate. We haven't had a lot
22 of input in the statewide map; however, and that's been the
23 problem that, you know, the fact we have inputted for
24 individual districts and we have. Thank you for that. But
25 it hasn't been able to be the whole issue with the state

1 currently. But can you just tell me what you're looking
2 at?

3 CHAIRMAN LAURENT: Again, we considered political
4 along with everything else that we looked at. I mean,
5 there is an enormous amount of information in FREDS. We
6 looked at communities of interest, input from the members.
7 We looked in a lot of these standards what the members
8 thought which data was important for their area. Different
9 members have different ideas and would used their own
10 criteria of which elections to look at. But we used all
11 the information off it we had to create the map.

12 SENATOR GELLER: Thank you, Mr. Chair.

13 CHAIRMAN LAURENT: Senator Meek.

14 SENATOR MEEK: Thank you, Mr. Chairman. I just wanted
15 to follow up on one of your responses on the criteria
16 question. The reason why I said -- I mean, I chimed in on
17 Senator Smith's motion is I got that from the Town Hall
18 meetings too. Quite a few people were saying, We would
19 like you to, if you could, give us some criteria so you
20 could tell us more. Also, can we see the maps, you know,
21 after you-all draw them. But they were asking for that
22 criteria.

23 I also remember some correspondence, I don't think it
24 was from me but it was from one of the members that was
25 asking for criteria to -- asking Senator Webster for

1 criteria. And so it's not a new phenomena. I think that
2 it's important more sooner than later that we come up with
3 this criteria. Like you said -- I don't know, do you want
4 some ideas on what you think should be considered as
5 criteria or we're just not going to adopt criteria? I
6 don't know, I'm not clear and I just want to get clear on
7 that.

8 CHAIRMAN LAURENT: As I've tried to emphasize, I'm
9 open for input on any issue dealing with drafting this map.
10 And if you have an issue you think is important, I'm open
11 to input on it. I'm not going to tell you whether I'm
12 going to adopt whatever you come up with without -- or
13 agree with you, I don't know. But I am open for input on
14 this issue as well. Yes, Senator Meek.

15 SENATOR MEEK: I know you're open, Mr. Chair. I'm
16 just trying to figure out if there should be some small or
17 considerable amount of time put into something that may be
18 offered as -- be accepted as -- well, you would accept a
19 motion to come up with particular criteria, that's what I'm
20 getting down to. You said you're open and available and
21 things of that nature. I mean, if I was to come to you and
22 say, Senator Laurent, I think this should be the criteria
23 that the committee should adopt, and you say, That's nice,
24 thank you very much for your input, that's one thing.

25 If there is a motion saying, This is the criteria I

1 to date, no one has talked to me about criteria. If you
2 want to talk about criteria, any specific criteria, I'd be
3 glad to talk to you about that.

4 SENATOR MEEK: Respectfully, Mr. Chair, and I put
5 emphasis on that, respectfully. I guess really, I mean, no
6 one -- I mean, it was said time after time at the Town Hall
7 meetings and I'm pretty sure within the testimony in the
8 transcript if those were read, I don't know, it would
9 probably take me a few days to pinpoint where, how, and
10 what time it took place. And also there was some
11 correspondence that was sent to the big Chair on adopting
12 some sort of criteria.

13 I guess beforehand we would know because in this
14 legislative process almost every year, and I see our Chair
15 was here, Senator Carlton, every appropriations' Chair put
16 out criteria on how do you seek dollars for your local
17 community, how do member projects go through the process
18 that from one budget to another -- since I've been up
19 here every -- I mean, I'm going on my eighth session.

20 Every appropriations' year there is a different set of
21 rules. And I guess what I'm saying, Mr. Chair, to be able
22 to help since we're coming into a date where we'll going to
23 finally rest, I agree with the fact that we need to go
24 ahead and start some substantive on-the-record decisions on
25 how the district should be drawn because the clock is

1 think you should adopt, okay, you heard the said motion.
2 Is there a second? But two different things, do you think
3 that maybe if such a criteria is put together I guess in
4 writing prior to the meeting so that you could evaluate in
5 the Senate big Chair, I guess Senator Webster could
6 evaluate it and say, Yeah, maybe we can adopt this to give
7 the public more -- how would you say, definition or how
8 they can put together their map so at least they are in the
9 same ballpark that we're in. Because some of the things
10 I'm seeing over in the House and some of the other maps
11 that I'm seeing, I'm like, I don't know if they know what
12 the criteria is. I don't know if they have a guiding -- a
13 beacon, a light or something to follow.

14 CHAIRMAN LAURENT: Well, one, I don't want to commit
15 Senator Webster because I've not discussed this issue with
16 him because I was not aware it would come up today. Any
17 member can prepare a map, submit the map, and list the
18 criteria they used for the preparation of that map. And
19 it's the will of the committee to determine whether they
20 accept the map and they accept the criteria you used for
21 that map if that's what you chose to do. It's an open
22 process and I'm not going to say, You can't do that or you
23 must do that.

24 But we're open. If you've got something that you want
25 to discuss, I can't precommit to it, but I'd be glad to --

1 running out.

2 It's important we get the kind of input that will be
3 taken into strong consideration. I don't know, do we
4 follow the deviation, is it stated in this book, the
5 deviation that was used in the maps that you put together?
6 Would that be the feat -- would that be the pattern folks
7 should follow or should it be the deviation that maps, as
8 we start approaching the beginning of the session now folks
9 know the big Chair has said I keep saying the "big Chair,"
10 I just want to make sure people understand the big Chair
11 really be the big Chair.

12 But the full committee chairman, Senator Webster,
13 would it -- I'm losing my train of thought here. Would it
14 be -- I'm just trying to find out what should we follow.
15 I'm thinking if the Chairman puts something out or a member
16 on the committee who carries great weight puts something
17 out, maybe we could use that, use their deviation of
18 putting together our maps so that I could be in the same
19 ballpark so it won't be, Well, Senator Meek has turned his
20 map in. He's totally off base. It's not what we've been
21 using.

22 The House is using a different deviation. Deviation
23 is very, very important and especially when we start
24 getting into the south Florida area with our undercounts --
25 I mean, not our undercounts but our need for population in

1 some areas. It's really the crust of the pie.

2 SENATOR LEE: Mr. Chairman?

3 CHAIRMAN LAURENT: Senator Lee.

4 SENATOR LEE: Let me just make sure because I've been
5 following this process just like the rest of you. It's my
6 understanding, Senator Laurent, that the offer for openness
7 for individuals, entities, citizens to craft their own plan
8 has been on the table since we began this process; is that
9 not correct?

10 CHAIRMAN LAURENT: Yes, sir.

11 SENATOR LEE: Senator Meek, you picked the issue of
12 deviation for instance to discuss why a criteria might be
13 important. And you know that's one of the things in all
14 the stuff that I read that I know that specific direction
15 has been given about what constitutes acceptable levels of
16 deviation with regard to legislative plans and it's
17 certainly much more an issue with regard to congressional
18 plans.

19 I mean, there is so much more out there that frames up
20 what our obligations are to create good public policy here
21 that I just think we need to be very cautious about trying
22 to reinvent the wheel. My question though is -- or my
23 concern really is that we all have been in this process a
24 long time, we understand how it works.

25 And, you know, after all the public testimony, after

1 from the very beginning is what we will pass is
2 legislation. When we meet in the next committee meeting,
3 there will be a piece of legislation subject to the
4 amendatory process. I hope members of the committee would
5 use some reason and constraint in the number of amendments,
6 but it is subject to the amendatory process. Any member of
7 the committee can file whatever amendment they wish to file
8 in that.

9 Senator Villalobos.

10 SENATOR VILLALOBOS: Thank you, Mr. Chair. We've been
11 discussing the same thing now for a little bit over an
12 hour. And what I fail to understand is, you know I think
13 what the Chair has done is allowed this process to be as
14 open as possible. And, you know, by not setting us a set
15 of restrictions, anybody, for example, in my district could
16 come up and say, This is what I'd like you to consider. I
17 think what that's offering us is an opportunity to shape
18 our districts as we wish and then present them to the
19 committee.

20 Now I think what some of my colleagues are trying to
21 get us to understand is to accept that we will abide by a
22 certain group of criteria which we've never seen. And I
23 just don't understand why you're trying to back the Chair
24 into saying, Oh, yeah, we'll accept this criteria, when we
25 haven't seen it, when I don't know if that's going to be

1 all the input from members, and all the considerations and
2 input that goes into the crafting of two conceptual plans
3 here, after all the offers for people to submit plans
4 early, it was always my fear that we would come up with a
5 workable concept of a document which is subject to the
6 amendatory process and that reinventions of the wheel would
7 be submitted by people at the eleventh hour. And it's my
8 hope that after all that has gone into getting us where we
9 are today, that in an effort to -- that we have honest
10 input into massaging what we have here, I'm just concerned
11 as we go forward we don't get into a situation where, for
12 whatever motivations might exist out there, there are a
13 bazillion plans out there with a bazillion different
14 criteria that don't necessarily reflect the committee's
15 effort to react to all of the broader inputs that have gone
16 into creating this map.

17 And I don't know if the Chair has any guidance for us
18 as a committee of individual members on that subject. But
19 I just want to express it as a concern from somebody who
20 would like to see us progress with a plan that moves
21 orderly through the legislative process so that we can have
22 the opportunity to do our work here in the Legislature
23 within the context of the guiding principles that have been
24 established through the case law.

25 CHAIRMAN LAURENT: There is no -- I mean, what we said

1 good or bad for my district.

2 I think rather than spend another hour saying the same
3 thing over again, I'd like to see whatever you have to
4 offer. At least I consider one way or the other. But to
5 spend another hour talking about, Are we going to accept
6 the criteria? What criteria is that? We don't know, we
7 haven't developed it yet, seems to me we're going around in
8 circles. As soon as any of you-all have it, I'd like to
9 see it before you ask me if I -- well, it's very nice you
10 have it, but why don't you let me see it so I can see it?
11 I'd really appreciate doing that.

12 CHAIRMAN LAURENT: Senator Geller.

13 SENATOR GELLER: Thank you, Mr. Chair. Just strictly
14 procedural. You said that at our next meeting we're going
15 to be voting on a map and amendments need to be in. And
16 obviously amendments need to be in a certain time period in
17 advance to make sure that they contain everything they need
18 to contain, et cetera.

19 A question that I have is at the next meeting is the
20 map that we're going to be voting on, using as our base to
21 discuss amounts to 003, or will there be a new map out
22 between now and then? Because the concern I have obviously
23 is we have to have our amendments in, what, 48 hours in
24 advance? We have to have our amendments in 48 hours in
25 advance, we can't get a map 72 hours in advance and then

1 expect -- give us 24 hours to do the amendment.
2 So is this going to be the base or will there be a new
3 base out? If so, when will that new base be out? I just
4 want to make sure that if there are any amendments, that
5 the members, or anybody else of course, but specifically
6 members, have time to prepare them.

7 CHAIRMAN LAURENT: This map, we have got the input
8 since this map has come out and we've had input since the
9 first map. There will be changes to this first map. I
10 cannot tell you yet whether those changes will be an
11 amendment to this map or a completely new bill. But that
12 will be done as soon as possible and it won't be done 72
13 hours before so it gives you time for the amendment.

14 SENATOR GELLER: Can we safely assume that whether
15 it's 003 or 004 or whatever that we'll have at least two or
16 three days that we'll have a map that we can do amendments
17 to?

18 CHAIRMAN LAURENT: Yes. Senator Holzendorf?

19 SENATOR HOLZENDORF: I want to make it clear that if
20 someone is going to do a map and change a map that changes
21 the rest of the map, I mean, if you take population, you've
22 got to take it from somewhere and that population has been
23 replaced from somewhere else. So as you're doing the maps
24 in north Florida, I would certainly hope someone -- I'm not
25 talking about south Florida now -- because that will

1 greatly affect the percentages and everything else in those
2 districts because -- I mean, we only have so much geography
3 we're working with and so much population. So it's going
4 to be a shifting and moving around.

5 So I hope everybody takes that into consideration
6 because I'm looking at how -- what I'd like to do up in
7 north Florida and where we would place these people that
8 are south of north Florida and with the growth in south
9 Florida, I don't think we're going to be able to push
10 people too much more south.

11 I think, if I'm hearing Senator Wasserman-Schultz, she
12 wants to push them up there at me, some of them.
13 (Laughter.) But I just want us to take that into
14 consideration that if you change a map that affects a
15 district in someone else's area, that you at least give
16 that person the courtesy of knowing that before we get --
17 sit here at the table which would automatically mean we'd
18 have to be in the amendatory process again.

19 CHAIRMAN LAURENT: Just as a practical matter, when
20 you do a map and you are affecting fellow Senator
21 members -- if you want to pass your map, I think you ought
22 to talk to whomever district you're savaging.

23 (Laughter.)

24 SENATOR HOLZENDORF: Can staff assist us in preparing
25 maps?

1 CHAIRMAN LAURENT: Excuse me?

2 SENATOR HOLZENDORF: I'm asking you can staff assist
3 us in --

4 CHAIRMAN LAURENT: Absolutely. Senator Meek.

5 SENATOR MEEK: Real quick clarity, sir. In no way did
6 I hear in Senator Smith's proposed motion that we were
7 going to change the rules in the middle of the game. What
8 I understood it was clarity. And I know that this process
9 has been one that one can turn in a map. I mean, we're not
10 saying they can't. And just talking about the area of
11 clarity, so I want to make sure when we rise from this
12 table it's not that there was a proposal to just change
13 everything and wanted a motion to be accepted for that to
14 happen.

15 So like I said, I heard a few of the comments that we
16 put something out there, we put some parameters out there.
17 And changing them now would be a travesty. I think to
18 clarify, what has been put out and what has not been put
19 out to be able to assist members of the public and members
20 of the Legislature on putting together these plans, I just
21 wanted to make that clear.

22 CHAIRMAN LAURENT: Thank you. Any other questions or
23 comments from the committee? (No response.) Okay. We
24 stand adjourned.

25 (Committee meeting adjourned at 11:45 a.m.)

1 CERTIFICATE

2 STATE OF FLORIDA:

3 COUNTY OF LEON:

4 I, KRISTEN L. BENTLEY, Court Reporter, certify that I
5 was authorized to and did stenographically report the foregoing
6 proceedings and that the transcript is a true and complete
7 record of my stenographic notes.

8 DATED this _____ day of _____, 2002.

9 _____
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