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SENATE REAPPORTIONMENT MEETING

JANUARY 24, 2002
5:30 p.m. - 6:40 p.m.
412 KNOTT BUILDING
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, JR.
- 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
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PROCEEDINGS

1 CHAIRMAN LAURENT: I think we have a quorum. Will the
 2 Senate Reapportionment Subcommittee on Legislative
 3 Apportionment and Redistricting please come to order.
 4 Administrative assistant, please call the roll.
 5 (Whereupon, the roll was called.)
 6 CHAIRMAN LAURENT: Members, you can look up on the
 7 screen. Since the last time we met, we asked for input at
 8 the last meeting and since the last meeting I've had an
 9 immense amount of input from folks in the Senate on maps.
 10 Some of the input we've not been able to get into the
 11 proposed maps that had to be filed by Tuesday evening.
 12 These were two options that we had come up with. The
 13 maps are pretty much identical except for the -- for want
 14 of a better word is the Palm Beach seat, the area in south
 15 Florida. If you look at the map on the left which is 006,
 16 the major difference there, there is a coastal seat in Lee
 17 and Collier counties and then there is the interior part of
 18 Lee County, Collier County, Hendry Collier, and the
 19 interior part of Palm Beach County come together for a
 20 seat.
 21 That seat, the largest county in that district is Palm
 22 Beach. It does not have an absolute majority in the
 23 district. Look to the right which is 005, that is a
 24 district which has a -- Palm Beach County, Hendry County,
 25

1 and Lee County that, seat would have a majority of the
 2 population in Lee County and then you would have a district
 3 that would be a Collier County seat.
 4 And I'm putting those out there for the members'
 5 benefit -- how about going and back out -- and would ask
 6 for some input from the committee and see -- get your
 7 comments on the -- what we've done to date and if there is
 8 any questions, I'd be glad to answer any questions.
 9 Okay. Are there any members from -- we have some
 10 public input. First is Bill Jones, League of Women Voters
 11 of Florida.
 12 MR. JONES: When producers of films are looking for
 13 directors, directors are thinking about three things they
 14 shouldn't do. One would be work with special effects. The
 15 other working with animals or working with children,
 16 mistakes that could happen. In the third house they
 17 advised me that one of the things you shouldn't do is get
 18 involved in redistricting. But having done that for 30
 19 years ago as a volunteer in drawing by hand maps, and ten
 20 years ago all the way through the court process, I guess I
 21 haven't learned my lesson.
 22 In kind of the comments here, what I wanted to do was,
 23 and this being a working product, we have -- and of course
 24 many of you know our plans that the League of Women Voters
 25 and Common Cause have prepared are on your web site and we

1 thank you for that. These products were put out so that
 2 you had another perspective of how to draw redistricting
 3 plans according to various standards. And some of the
 4 standards we used was to try and hold as much as we could
 5 in the majority/minority districts intact and believing the
 6 same, I think, legal strategy that the Senate has used in
 7 preparing its House, Senate, and Congressional plans.
 8 That may be where the similarities end and the
 9 differences start. If you look at your plans and knowing
 10 that ten years ago also there was a Senate produced plan
 11 that was at zero deviation as well and the remaining zero
 12 deviation plans that went to the courts, even though by law
 13 you've been instructed that there is certain deviation
 14 that's allowed within those districts, we would ask you to
 15 think about why those deviations are occurring in each of
 16 the districts, the reasons for that. Whether you are
 17 trying to keep a percentage in a majority/minority
 18 district.
 19 For example, if you took our map, adjusted the change
 20 for majority/minority I might have, and Senator Holzendorf
 21 illustrated to me, Well, you didn't quite hit the same
 22 percentage I had in my district last time, a reason to
 23 deviate from a zero deviation plan that would be a good
 24 reason, trying to reach a legal principle or a principle of
 25 compactness where you kept county boundaries together or

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1 intact in trying to reach that would be another good
 2 standard.
 3 The Legislature, ten years ago, adopted standards as
 4 they drew these maps, standards that you could apply to why
 5 things were being drawn the way that they were being drawn.
 6 If you look at this map compared to the map that was drawn
 7 by our volunteers and the staff, blindly of course to the
 8 districts and the party and that information, you'll see
 9 that many of the districts are much more compact. You do
 10 not see some of the strange configurations that are there.
 11 So we would encourage you as a body, as you proceed
 12 through this process, probably the fastest way into a court
 13 would be because you are deviating from zero deviation and
 14 do not have standards or reasons for that deviation or
 15 haven't stated those publicly.
 16 We'd also state given this, you've got -- I see trying
 17 to meet some communities of interest like beach communities
 18 and other things. And then in other parts of the state, it
 19 looks like you were trying to achieve compactness. So
 20 that, again, the standards don't seem to apply throughout
 21 the state of what you were trying to achieve. But beyond
 22 that, towards your working product, we encourage you, we're
 23 not trying to pin any member to file our plan as such, as
 24 an amendment to yours or any of those kinds of things.
 25 They are out there, again, for your perspective to help you

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1 through what it could look like using compactness,
 2 contiguity, zero deviation for those individual plans.
 3 That's it, Mr. Chairman.
 4 SENATOR LAURENT: Any questions? Any questions? Yes,
 5 Senator King.
 6 SENATOR KING: Thank you, Mr. Chairman. I know this
 7 is of only marginal interest to you and I can appreciate
 8 that, but do I have a district in your drawing?
 9 THE WITNESS: I don't know where you live, Senator.
 10 SENATOR KING: Well, that's fairly obvious.
 11 (Laughter.) That's fairly obvious. Because it looks like
 12 unless I move to Georgia, I'm in deep sushi here.
 13 MR. JONES: Believe me, the individual we had working
 14 on this plan has no idea where any of you are living or any
 15 of your personalities. So don't take it personally.
 16 (Laughter.)
 17 SENATOR LAURENT: Did you furnish a copy -- do we have
 18 a copy of the plan? It's on the web but not in the packet,
 19 okay? Thank you very much.
 20 Doug Adkins from the Nassau County GOP.
 21 MR. ADKINS: Thank you, Mr. Chairman. Chairman Adams
 22 sends his regards to the committee members and the Nassau
 23 County Republican Executive Committee would like to applaud
 24 the Chairman's efforts to meet some of the objectives that
 25 the Nassau County REC had adopted several months ago.

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1 These recommendations went on to our county commission and
 2 our county commission adopted a resolution which I
 3 understand has been distributed before you and have
 4 identified some of the issues that affect the citizens of
 5 Nassau County.
 6 Nassau County is a fast-growth small county. The
 7 complexion of Nassau County is changing rapidly and what
 8 used to be a very agricultural west side is, in fact, fast
 9 becoming a residential commercial area. There is already
 10 several major developments proposed for west Nassau that
 11 would then again take our community towards a more
 12 residential-intensive pattern of growth over the next ten
 13 years.
 14 The numbers of permits, the growth, the expansion of
 15 our commercial interest throughout the county cannot be
 16 ignored. The Nassau County Board of County Commissioners
 17 has adopted a resolution that in essence requests that this
 18 body consider single-member representation as a guiding
 19 principle for redistricting for the citizens of the county.
 20 Single member representation has served us well in the
 21 last ten years and our concern is by dividing the county
 22 between east and west will further divide the county among
 23 the issues that divide those populations.
 24 We believe that single-member representation is the
 25 one item lacking in the current proposed plan. And whether

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1 it's Senate District 8, Senator King or Senator Wise, I
 2 think the county would be pleased with either Senator and
 3 certainly, you know, whichever Senator could best represent
 4 us is the one that we would want.
 5 But the commissioners and the -- as well as the GOP
 6 leadership asked me to come today to bring this issue to
 7 your attention and to request your assistance in correcting
 8 this because Nassau County in northeast Florida quite
 9 frankly is the only legislative body, the elected
 10 legislative body, that has taken a position on this issue
 11 and has said, This is what we would like to see happen.
 12 We had an ad hoc committee established that met from
 13 February to December, held public hearings, gathered input,
 14 listened to the local citizens. We went through a very
 15 thoughtful process, a large group of people. And I guess
 16 we just want to be heard. We just want to make sure that
 17 this well thought out approach to how we are represented in
 18 the Florida Senate is given consideration and would carry
 19 some weight.
 20 So we would ask you to consider making that change,
 21 Mr. Chairman, and members of the committee, and we would
 22 again strongly applaud your efforts to meet our other
 23 objectives which included affiliation with the Duval
 24 delegation and we also had other objectives that
 25 included -- that we be allowed to -- that we be allowed to

1 have single-member representation in Nassau County. Thank
2 you.

3 SENATOR LAURENT: Thank you very much. Are there any
4 questions? Thank you very much. The next speaker is Kurt
5 Keller -- excuse me, from Marion County.

6 MR. KELLY: Quite the dramatic entrance with the cane
7 and the limp. I was out playing football with my kids at
8 Christmastime, stepped in a hole and blew out both knees.
9 When you hit 42, you don't need to act like Deion Sanders
10 anymore.

11 I'm a member of the Marion County school board and I
12 want to thank you for the opportunity to come to speak to
13 you. Tonight I want to talk about the impact of these maps
14 that we currently see as well as our concerns.

15 On behalf of the Marion County school board, the
16 superintendent of schools, Jim Warford, the nearly 5200
17 employees, the 40,000 students, and nearly 300,000
18 residents of Marion County, we have taken serious the
19 charge of this legislative body, the Governor, the House,
20 the Senate, we have taken the charge in raising student
21 performance. In fact, Marion County has committed to, by
22 the year 2005 to be the leader in raising student
23 performance in the state of Florida.

24 Marion County is the fifth largest geographical area
25 in Florida -- county. Our community interest extends from

1 Dunnellon in the southwest, to Wacahoota in the northwest,
2 to Hog Valley and Fort McCoy in the northeast. I can give
3 you some more names if you'd like them, Wiersdale in the
4 southeast. We include some of the fastest-growing areas in
5 the state.

6 We transport nearly 30,000 students on our buses a day
7 and we cover nearly 50,000 miles a day to do that.
8 Transportation concerns are major for us. While Marion
9 County is dramatically larger than its contiguous
10 neighbors, less Volusia County, it is currently divided
11 into four Senate seats. And we see on these maps we have
12 today that it's divided into three Senate seats.

13 Each of these pieces are incongruent and inconsistent
14 with our general community interest. Marion County has not
15 had a resident Senator that represents the majority of our
16 county in over 20 years. And quite frankly, in that period
17 of time, while we've had representatives who have done a
18 fine job for us and we could go to them, we have not had
19 someone in this great emerging county that would be our
20 advocate here in Tallahassee.

21 We are thankful to those Senators who have
22 representatives and we recognize the need for the primary
23 resident advocate. We need those -- that advocate to help
24 us achieve this goal and that is raising student
25 standard -- or student performance. Therefore, as a

1 community leader and a member of Marion County school
2 board, I urge you to establish a Senate seat that best
3 represents Marion County's community interest.

4 I thank you. We have passed a resolution from the
5 school board. It is signed by our chairman, Ron Crawford,
6 our superintendent of school, Jim Warford, school board
7 member Cheryl Appelquist, Steve Hering, Kurt Kelly, and
8 Kathie Rushlow. And I know that the Marion County and this
9 community is very concerned about this. We know you've got
10 a major task before you but we would appreciate it if you
11 would look at us and say, This county is growing and it's
12 time for us, once again, to have someone join this body
13 from Marion County. Thank you.

14 MR. CHURCHHILL: Thank you very much. Are there any
15 questions? Okay. If you'll leave that -- did you want to
16 leave the resolution?

17 MR. KELLY: I'll have it --

18 SENATOR LAURENT: Thank you very much. Randy Harris.
19 He's from the Marion County Commission.

20 MR. HARRIS: Thank you for the opportunity to come and
21 share some of our concerns. I wear two hats. I come as
22 chairman of the Marion County commission. I have served as
23 a county commissioner for about seven and a half years. I
24 also wear the hat of chairman of the Republican executive
25 committee. But virtually everyone in Marion County is

1 concerned with what has existed in Marion County for many,
2 many years.

3 We have a 12-member legislative delegation. That fact
4 has been shared with other counties as this discussion and
5 meetings have gone on about reapportionment and it has been
6 sold to other counties as the greatest thing since sliced
7 bread. Look at all the wonderful representation that
8 Marion County has. And I'm not suggesting for a moment
9 that we don't have wonderful Senators and Representatives
10 because we do. Many of which have worked with us very
11 closely on some of our issues.

12 However, as my good friend from the school board
13 noted, it is difficult to have adequate representation when
14 our legislative delegation members are so terribly
15 handicapped because they live in other areas. You see, in
16 Marion County we have, for the most part, long-distance
17 representation. We have for the most part absentee
18 representation, if you will. It's almost easier for me to
19 come to Tallahassee to see my Representatives, my Senators
20 than it is to try to find them in their resident counties.
21 Very difficult to do.

22 We have major concerns with what has existed in the
23 past and even what we have seen with the most recent maps
24 the Senate is proffering. We have approximately 265,000
25 residents. We'll be at 300,000 residents very soon. What

1 that really means is we have a 40 percent greater
2 population than all of those contiguous counties which have
3 resident Senators.

4 In the infinite wisdom of some years ago, Marion
5 County was carved up like a pie. Our population was used
6 to push into other districts. I'm not sure what the wisdom
7 really was, but I'm certain that there was a purpose.

8 Let me share with you a very recent example of the
9 problem that we wrestle with. As you know, you-all came
10 back for a special session and you wrestled with the issues
11 of insufficient funding. You're going to wrestle with that
12 again. We had -- I had actually come up and visited many
13 of you and many other of our legislative delegation members
14 to have discussions prior to your final decisions.

15 But then after that, we knew that you were going to
16 come back and wrestle with this once again. So I sent a
17 letter out, Please come visit with us before you go back to
18 your regular session. Most of the responses that I
19 received indicated that it was too problematic to get 12
20 people back together to meet with the Marion County
21 commission, the district that is represented by these 12
22 people. Too problematic, too many schedules to wrestle
23 with, not enough time to coordinate all of those schedules,
24 and that's understandable. That is a constructive
25 criticism.

1 We only request that this committee consider the
2 dilemma that Marion County experiences and has experienced
3 for many, many years. We recognize in Marion County the
4 difficulty. We only hope that you recognize the difficulty
5 and work with us to ensure that we have, to the greatest
6 extent, an opportunity to have a resident Senator.

7 We'll continue to work with those of you that are
8 incumbents. We'll go right back and knock on your doors
9 for assistance when we need it. But we certainly desire,
10 if at all possible, a resident Senator. Thank you.

11 SENATOR LAURENT: Senator Lawson.

12 SENATOR LAWSON: Sir, earlier you stated that, and I
13 think the school board representative stated, that you-all
14 are very pleased with the representation that you-all
15 receive from both the House and the Senate members but
16 you-all are concerned about the way you-all are split up.
17 Are there issues that affect the county that those Senators
18 and Representatives are not addressing?

19 MR. HARRIS: Sir, I can tell you that if Marion County
20 travels to our Representatives, we can get them to respond
21 to specific issues we bring to their attention, the benefit
22 as all of you know in residing within the counties that you
23 reside in is you are familiar with the day-to-day issues
24 and concerns of your constituency, that's the handicap that
25 our delegation members have as a result of residing in

1 other counties.

2 I am certain that those delegation members would have
3 to admit that they are far more familiar with the issues
4 that are day-to-day concerns within their resident counties
5 than they are with those concerns of day-to-day issues we
6 wrestle with within Marion County simply because of the
7 location in which they reside, the daily newspapers, the
8 radio shows, the constituency that they are dealing with
9 that can walk in and discuss things with them on a regular
10 basis.

11 SENATOR LAURENT: Senator King.

12 SENATOR KING: Thank you, Mr. Chairman. I'm one of
13 those Senators that represents a portion of Marion. And I
14 guess it begs the question, and I don't have an answer to
15 it, I know how it played out this last legislative session
16 in projects. And let's face it, a lot of times districts
17 judge how well we represent them by what we've been able to
18 do for the district in terms of projects or schools or
19 treatment for the elderly or whatever. And I believe, if
20 I'm not mistaken, there are five -- four Senators that
21 represent Marion now?

22 MR. HARRIS: Yes.

23 SENATOR KING: If -- what happened last year was each
24 of us was given assurances that if the project was worthy
25 and whatever, we could get one project per county pretty

1 much without running the risk of automatic veto and it
2 still had to meet the merits.

3 Now in that situation if you'd had one seated
4 Senator -- and don't have the population to even have
5 that -- so you could have one seated Senator and you could
6 have maybe one other Senator to make up your 400,000 that
7 we have to represent. So if that was the case, you'd have
8 fared far less at least financially than you did with four
9 of us making sure that a major project got included in what
10 we were trying to do for Marion.

11 Have you-all thought about that? Sometimes I wonder
12 whether in the quest for residency you lose maybe some
13 sight of what actually good is happening to the county that
14 has the multiple representation. I think you had a total,
15 if you have the House and Senate members, what was it, 12?

16 MR. HARRIS: Yes, sir.

17 SENATOR KING: You had 12 different people that were
18 fighting the good fight for Marion County on issue after
19 issue. And to be honest with you, you'd have to judge it
20 because you see it as a -- as the whole mosaic. I'm only
21 one of the tiles on that mosaic. But I really thought your
22 county, our county, did fare better than virtually any of
23 the others in the surrounding area or any of the others,
24 other than maybe Dade just because of its population
25 factor. Do you not consider that to be the case or does it

1 make no difference anyway?
2 MR. HARRIS: Surely I will gest, and you'll understand
3 this, but being the good statesman that all of our
4 legislators in the state are, I'm confident that we would
5 have some equality and balancing in the acceptance or
6 receiving of those projects that you are speaking to.

7 There is the issue of fairness that I'm confident all
8 of our Legislators attempt to assure when projects are
9 being requested and being awarded. If you'll recall, when
10 the legislative delegation met at Central Florida Community
11 College, I proffered an idea at the time. If you look at
12 those lists, for example, of projects, what we call
13 projects, we'll all realize that state roads are listed on
14 that list of projects. State roads are a responsibility of
15 the state to begin with.

16 They find their way to a list and sometimes 15 to 20
17 years later, based on funding, which is the same in all
18 counties, that isn't a criticism, those projects get done.
19 I wouldn't call those special projects, I would call those
20 maintenance and responsibility of the appropriate entity.

21 But in the case of projects, there really are very
22 few. I'm not confident that that's the issue at all. Let
23 me give you example. I'm not going to name the particular
24 Senator that came into a meeting with our constituency, it
25 was hosted at the -- and I'm going to come back to CFCC,

1 I'm not going to forget that.

2 We had a specific piece of legislation that was
3 requested from our local constituency. You know in our
4 demographics we have a large segment of retirees and gated
5 communities. That piece of legislation got dropped for
6 whatever reason. Later, it was picked up and there were
7 attempts to get it through and it failed.

8 That large constituency was very frustrated with their
9 Representative. Because, again, I think that the -- what
10 I'm calling a handicap, not the fault of the Representative
11 perhaps, but because of the location that they reside in
12 and their familiarity on a day-to-day basis with their
13 constituency there, they were at a serious disadvantage and
14 it just slipped their minds. Big problem for those that
15 are looking forward to the fulfillment of a promise that
16 was made.

17 Back to CFCC and the projects. I suggested at that
18 time that rather than using the archaic system that we have
19 jockeying or jostling for funding for our specific projects
20 within districts, that we fund all of those state
21 responsibilities throughout the budget committees, bring
22 them into the appropriate houses, make your decisions, and
23 then take the balance and then return that back to the
24 constituency from which it was taken on a proportionate
25 basis.

1 That way, there is no jostling, there is no wrestling,
2 there is no dependency on seniority any longer for those,
3 what we'll call special projects, to be funded. Everyone
4 gets their proportionate share. That, of course, would not
5 do away with the donor county issue that we all face for
6 those of us that are large enough to send money and less of
7 it comes back than was sent to Tallahassee. I don't know
8 if that adequately answers your question but -- is that it?

9 SENATOR LAURENT: Thank you very much.

10 MR. HARRIS: I also have a resolution from the City of
11 Ocala and the Marion County commission, the city council,
12 the Marion county commission making the same requests that
13 I just entered into the record. Thank you.

14 SENATOR LAURENT: Thank you. Cheryl Appelquist,
15 Marion County school board.

16 MS. APPELQUIST: Good evening, ladies and gentlemen.
17 I'm here this evening, again, to share the concern and from
18 the school board, also from our constituents that we were
19 cut up with four Senators and eight House members in the
20 last reapportionment. It makes it very difficult for us to
21 get our message out.

22 I agree, Senator King, you can understand and carry
23 our wand when necessary. But still, the issue stands. As
24 we look at this map that's drawn and we look over there at
25 the more detailed map, between our two largest high schools

1 and inner cities of Ocala, we've got three Senators if you
2 look there.

3 In the city of Ocala, there will be three different
4 Senators representing that city. Is that good? Yes. Do
5 any of them even know that they have cut up the city of
6 Ocala so drastically? I'm not quite sure. Is there a
7 larger city in an entire district? I'm not sure there
8 either.

9 So I would say, think about what you're doing and
10 please be aware and if there is no one from Ocala, from
11 Marion County sitting on this reapportionment, then
12 possibly you need to call or talk with not only the school
13 board, but the superintendent, the county commission. We
14 really encourage you to have at least one sitting member
15 from our district that is a Senator representing at least a
16 portion of it.

17 Right now, no one representing Marion County lives in
18 Marion County. We are asking. We've been cut up for the
19 last 20 years. We're asking for a little unity. I thank
20 you for your time and your attention. And I do commend the
21 Senators and Representatives that we do have, but we just
22 want one that lives there and knows the issues. Thank you.

23 SENATOR LAURENT: Thank you very much. Janet Olin,
24 Leon County supervisor of elections.

25 MS. OLIN: Hi, I'm Janet Olin. I am the assistant

1 supervisor of elections in Leon County. But my experience
2 goes back into the 1980s when I worked with Representative
3 Frank Messersmith for eight years and dealt with
4 single-member districts in 1982 at that point and have been
5 with the supervisor of elections in 1992 when we dealt with
6 redistricting at that point.

7 We've had some concerns that we want to enlighten or
8 share with you. We've worked with our county commission
9 and our school board to not divide neighborhoods, to not
10 split up communities. And unfortunately, this area that
11 we've got pulled on the map here divides our Chair's
12 community and that has been one of our goals for the last
13 decade to try to unify that with our county commission.

14 We've accomplished that and unfortunately this line,
15 if we can change that line so that it doesn't -- instead of
16 following parcel lines, that it follows a major roadway,
17 that would help us keep a community that has strived to
18 have that unison --

19 SENATOR LAURENT: Could you point out where Chair's
20 is?

21 MS. OLIN: Sure. Yes, that is correct. That is
22 correct. My technology here, I'm still a point and shoot
23 person here. The Chair's community is a mostly rural area
24 and it's off Capital Road and Chaires Crossroad. They have
25 worked diligently to get a community center out there so

1 executive director of the Palm Beach County League of
2 Cities which represents 37 municipalities incorporated in
3 Palm Beach County.

4 When we came up, myself and my colleagues a week ago,
5 I was joined by the legislative delegation, the county, the
6 firefighters, the Republican party, the Democratic party
7 through the Republican party, and the same spokesman and
8 various others just to remind you how important it is for
9 Palm Beach County to create, as the third largest county in
10 the state, some residential Senatorial seats as you heard
11 other counties want.

12 In the public meetings we heard that the people of our
13 county need and deserve this representation. You might be
14 aware that Palm Beach County is the largest geographical
15 land mass east of the Mississippi. It's the third largest
16 county as I mentioned in the state of Florida. The next
17 largest county, Hillsborough, the fourth largest county I
18 believe, is currently going with three residential seats in
19 your plan. Broward and Miami-Dade have several residential
20 seats as well.

21 We love our Senators. We love Senator Pruitt, we love
22 Senator Klein, even the ones that don't currently live in
23 the county. But a county as large and diverse as Palm
24 Beach County, yet a like-minded community with almost a
25 1,200,000 population, needs to have accessible and

1 now we have a location to have a polling precinct and to
2 conduct our elections out there.

3 And it just would be, if it is at all possible, to
4 change how you're dividing that area to be cognizant of
5 that community and others like that. I'm sure there are
6 situations where perhaps by doing that parcel instead of a
7 major roadway that that occurs. So that's what we wanted
8 to bring to your attention.

9 SENATOR LAURENT: I'll see what we can do on that.

10 MS. OLIN: Thank you so much.

11 SENATOR LAURENT: James Titcomb, Palm Beach County
12 League of Cities.

13 MR. TITCOMB: Good afternoon, Chair Laurent and
14 Honorable Senators. As you know, probably this week was
15 Palm Beach County days in Tallahassee and we had hundreds
16 of people up here. And I hope you had a chance to get out
17 and enjoy our various festivities. We had a closing
18 breakfast this morning with the Lieutenant Governor as our
19 keynote speaker. Everybody that came up here had a very
20 good time, got to know Tallahassee, got to see their
21 Representatives and their Senators. And also came up with
22 and went home today with a consistent message, we're all on
23 the same plain on this.

24 I appeared before you the last time you met. Just for
25 the record, I will mention, I am James Titcomb. I'm the

1 like-minded Senators living within our midst that live,
2 work, and play and recreate in Palm Beach County. And
3 we're just here to underscore that today and remind you
4 that that's what we are looking for.

5 I know this is a fluid process. I know you guys are
6 working very, very hard and that's probably why you didn't
7 get to our parties if you didn't get there because you've
8 been working so hard on this process. We just ask you
9 anything you can do to increase the number of residential
10 Senatorial seats in Palm Beach County, all of the groups
11 that you heard from would very much appreciate that.

12 SENATOR LAURENT: Just a second. How many residential
13 Senators do you-all have today?

14 MR. TITCOMB: One. And that would be Senator Klein's
15 district.

16 SENATOR LAURENT: Okay. And have you had a chance to
17 look at any of these maps?

18 MR. TITCOMB: I would like to say to you each and
19 every map you've come out with has been an improvement over
20 a previous map. Some of the very wild and winding
21 districts have been shortened or removed from Palm Beach
22 County and it's getting better each step of the way. But
23 if I'm not mistaken, even this current map only places one
24 residential --

25 SENATOR LAURENT: In the current map there are two

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1 seats which Senator Klein's district would be solely within
 2 Palm Beach. The seat along the coast would have 235,000 in
 3 Palm Beach, 165,000 in Broward. You would still have to
 4 have an election but populationwise the largest --
 5 MR. TITCOMB: Palm Beach.
 6 SENATOR LAURENT: -- portion is Palm Beach. And then
 7 the other two seats would have more residents than any
 8 other county but not an absolute majority. But we're still
 9 working on the area.
 10 MR. TITCOMB: You had also heard concern about the
 11 coast-to-coast district phenomenon and that has been
 12 improved somewhat but it is still somewhat intact
 13 geographically. That district that goes -- formerly
 14 Senator Rossin's seat, is still stretching a very, very
 15 long geographical distance and hopefully we can bring that
 16 more into Palm Beach County as well.
 17 SENATOR LAURENT: Thank you very much. Any questions
 18 from the membership? Senator Klein?
 19 SENATOR KLEIN: Thank you, Mr. Chairman. I just
 20 wanted to clarify for the record there are currently two
 21 residential Senators in Palm Beach County, two Senators.
 22 Senator Rossin and I both live in the county.
 23 MR. TITCOMB: Thank you very much.
 24 SENATOR LAURENT: Senator Rossin must not have made a
 25 big impression. I'm just joking. (Laughter.)

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1 Next is Todd Bonlarron.
 2 MR. BONLARRON: Thank you, Mr. Chairman. My name is
 3 Todd Bonlarron. I'm the legislative affairs director for
 4 Palm Beach County. I'd like to thank Chairman Laurent and
 5 members of this committee for continuing to allow us to
 6 have an open discussion about reapportionment and
 7 redistricting.
 8 I'd also like to thank you for allowing us to continue
 9 to express our opinion, give you praise, express some of
 10 our concerns, and also offer some condolences as we move
 11 through the redistricting process. We realize that it is
 12 an extremely difficult process and takes a lot of your
 13 time.
 14 I also, in viewing the maps, appreciate the
 15 opportunity that you've given us also in a timely manner to
 16 look at some of these maps to observe what some of the
 17 changes have been so we can comment on those issues. I
 18 appeared before you at your last committee meeting on
 19 behalf of Palm Beach County and the county commission. We
 20 have seven county commissioners representing over 1.1
 21 million residents in our county.
 22 We represent a very, very diverse group of
 23 individuals. We have a huge agricultural community in Palm
 24 Beach County as well as from many age groups, ethnicities,
 25 races, and so forth and so on. I would like to say also

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1 that we have looked at the maps and there has been a
 2 significant improvement from some of the concerns that we
 3 initially had with the initial maps that were drawn and we
 4 appreciate your assistance and your attention to some of
 5 those concerns that have been brought to you and in working
 6 with our delegation and addressing some of those concerns.
 7 We still, and I just would like to reiterate, we
 8 passed a resolution several weeks ago, our county. And
 9 just as a side thought, so you know, this is an effort on
 10 behalf of everyone in our county. It's a bipartisan
 11 effort. You heard the list of all the individuals who are
 12 supporting this. Our county commission, as a matter of
 13 fact, is four Republicans and three Democrats. So there is
 14 no division as far as the partisan battle going on in our
 15 county. This is a concerted effort.
 16 We're here as one to say that what we're looking for
 17 is to create at least three Senate seats that have a
 18 majority of their constituencies based in Palm Beach
 19 County. We, again, appreciate all those Senators that
 20 represent us as well as House members that represent us,
 21 both who live within and outside of Palm Beach County. And
 22 we appreciate your attention to some of our concerns and
 23 hope that we can continue to work with you.
 24 We understand this is a work in process. And we would
 25 hope that we can continue to work with you through our

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1 legislation or through our legislative delegation to
 2 continue to address any other concerns that we might have.
 3 SENATOR LAURENT: Thank you. If anybody is here from
 4 Palm Beach County, I want to let them know their delegation
 5 has been very vociferous and been a very good advocate for
 6 the county. Thank you. Any questions?
 7 Ed Chase representing the Palm Beach County
 8 Legislative Delegation.
 9 MR. CHASE: Thank you, Mr. Chairman. My name is Ed
 10 Chase. I'm the director of the Palm Beach County
 11 Legislative Delegation. I just wanted to thank the
 12 Chairman and the committee for their patience during this,
 13 what may turn out to be a very long process.
 14 On behalf of all the members of the delegation, we do
 15 understand that this is a work in progress. But on behalf
 16 of a very, very broad consortium of elected public
 17 officials in Palm Beach County, a wide variety of business
 18 leaders in Palm Beach County, and a very large collection
 19 of community organizations in Palm Beach County, many of
 20 whom you've heard from directly within the past few weeks,
 21 we ask that you continue your work to work with us and
 22 allow us to make recommendations to you to work through
 23 this process.
 24 As a previous speaker has mentioned, there have been
 25 continued improvements in the map. Those people from Palm

1 Beach County, the members that I represent are increasingly
2 pleased with the increase of majority member districts in
3 Palm Beach County. We just ask that you continue to work
4 with us and listen to our suggestions to help us create
5 fair, reasonable districts for Palm Beach County. Thank
6 you very much.

7 SENATOR LAURENT: Thank you very much. Are there any
8 questions? Comments from the committee? (No response.)
9 Okay. Thank you. Now, that's all the cards we have for
10 public testimony. And I want the committee to know that we
11 have gotten an awful lot of input this week. And because
12 of the time constraints, we've not been able to incorporate
13 all the input we've had from the membership into the maps.
14 We're not going to vote out a map tonight because, to be
15 frank with you, the maps are not complete.

16 We will be -- it is our intention that next week, when
17 the subcommittee meets, we will vote out a map out of the
18 subcommittee. I know some folks are still working on some
19 issues and the sooner the better. Any amendments -- we
20 haven't done a notice for the meeting yet, but it will have
21 to be done two days before the meeting. And this is a
22 process that we're trying to accommodate the communities
23 and our members as much as possible.

24 Senator King?

25 SENATOR KING: Thank you, Mr. Chairman. I just want

1 to make sure we all understand the logistics of amendments.
2 As I recall, when you gave us the initial charge of what we
3 had to do, if you were to make an amendatory change to what
4 is the base map, you had to do an entire map. You just
5 couldn't come in and draw a district and say, This is the
6 way I'd like my district to look. You had to draw the
7 entire map. And I'm presuming, Mr. Chair, that that still
8 is your intent?

9 SENATOR LAURENT: Yes, Senator King. If you do an
10 amendment, it has to be an amendment to the whole state.
11 In all fairness, if someone wishes to do an amendment that
12 starts from scratch, they can do an amendment that starts
13 from scratch, but it has to be for the whole state.

14 SENATOR KING: And as a follow-up, when will we --
15 when will people, normal members as well as the public,
16 have the base map from which they could then make their
17 determinations as to whether or not an amendment was
18 necessary?

19 SENATOR LAURENT: There is not a base map. There
20 is -- when you draw the map, you draw an amendment for the
21 entire state. I would encourage you, depending on which
22 portion of the state you're in, to work off one of these
23 maps.

24 SENATOR KING: Which one would you like us to work off
25 of?

1 CHAIRMAN LAURENT: 006.

2 SENATOR KING: So if you saw 006 and you like 006,
3 then you could encourage us to vote for 006 if you're a
4 constituent. If you didn't like it, you would start off
5 with 006 and make the adjustments in your own map?

6 SENATOR LAURENT: That is correct.

7 SENATOR KING: Thank you.

8 SENATOR LAURENT: For what purpose?

9 SENATOR WASSERMAN-SCHULTZ: Oh, I just wanted to hear
10 myself talk.

11 SENATOR LAURENT: You can talk.

12 SENATOR WASSERMAN-SCHULTZ: If I could ask you a
13 question, Mr. Chairman.

14 CHAIRMAN LAURENT: Yes.

15 SENATOR WASSERMAN-SCHULTZ: If we were voting on this
16 map today, I would have questions. Since you're indicating
17 there is probably going to be some substantial, at least I
18 hope, there is going to be substantial changes to this map
19 between now and when we do vote, should I hold -- it seems
20 to me I should hold the questions I have since what we'll
21 probably vote on is not what's in front of us today. Would
22 you prefer that? Or should I ask questions -- I mean, if
23 it's going to look substantially similar, if this map will
24 look substantially similar to what we vote on, then I'd
25 want to ask my questions now. If not then --

1 SENATOR LAURENT: I mean, you can ask -- I mean, if
2 you have some particular concerns with a map, you can ask
3 questions now or you can get with me at some time. But
4 what I would like for the members to do is to express what
5 concerns they have in reference to the map and sooner is
6 better than later.

7 SENATOR WASSERMAN-SCHULTZ: Yeah, I know, and I've had
8 that -- Mr. Chairman, thank you. And I've had that
9 opportunity and I know all the members have. But
10 it doesn't really to me seem to make sense if I'm going to
11 ask questions on a map that -- if I zero in on a particular
12 area and ask you a question, and that's not what it's going
13 to look like next week when I vote on it, then it seems to
14 be wasting everybody's time. So is it better to save the
15 questions for the map we actually vote on or to ask them
16 now?

17 SENATOR LAURENT: Well, there's two ways at looking at
18 that. One is if we have the right map and your question is
19 addressed, then you don't have to ask the questions when
20 you vote on the map. If that's not the case, then you
21 would. And what we're trying to do is accommodate the
22 membership as best we can. And if you have issues sometime
23 Monday or Tuesday, you need to make sure I understand what
24 those issues are so we can accommodate them as well as we
25 can.

1 If you wait until Wednesday or Thursday, then you'll
 2 be asking questions when you get to vote because we won't
 3 be able to incorporate those changes into a map.
 4 SENATOR WASSERMAN-SCHULTZ: Oh, no, Mr. Chairman, I'll
 5 ask you -- I mean, I'll definitely get with you -- I'm a
 6 little bit of a type A personality. I'll probably get to
 7 you sooner rather than later. But I think I'll hold my
 8 questions until I see a map and see whether the questions
 9 I've got now have been addressed or not.
 10 SENATOR LAURENT: Thank you very much. Senator
 11 Holzendorf, did you have a question?
 12 SENATOR HOLZENDORF: Yes, on the numbers,
 13 Mr. Chairman. In the district I represent, I've always had
 14 a 49 percent, 49 percent registered voters. And with the
 15 new map it's 43 percent registered voters,
 16 African-American. And I'm trying to figure out where the
 17 other voters went. Did you give some of them to Senator
 18 King or Senator Wise. I don't think they want them and I'd
 19 like to get them back.
 20 SENATOR LAURENT: The voters did not go anywhere,
 21 Senator Holzendorf. As you're aware, a portion of your
 22 district did not grow as rapidly as the state as a whole
 23 and we had to add significant population to the district.
 24 We've tried to work with you and go where you wanted us to
 25 go as best as we could. But --

1 SENATOR HOLZENDORF: Thank you, Mr. Chairman. I guess
 2 my concern is that I don't end up with an access district
 3 but I do maintain my minority district because that's the
 4 only one in the northeast Florida area. So I would just
 5 like to, you know, to start looking at numbers in that
 6 area. What are we using for standard deviation? Are we
 7 deviating any in this process?
 8 SENATOR LAURENT: I believe our deviation is
 9 2 percent, is what we've done mapwide. It's a 2 percent
 10 deviation.
 11 SENATOR HOLZENDORF: Can we deviate in these areas a
 12 little bit more so that it would help us?
 13 SENATOR LAURENT: That's one of the -- you know,
 14 that's one of the issues that you get different answers to.
 15 Some people think in map drawing you need to deviate as
 16 little as possible. We've try to keep the deviation to be
 17 as reasonable as we can. And if you want --
 18 SENATOR HOLZENDORF: Ten years ago, was the deviation
 19 5 percent or 10 percent?
 20 SENATOR LAURENT: Last time, I think the deviation was
 21 zero, wasn't it? It was one-half of 1 percent last time.
 22 Okay.
 23 And as I said, I'll be glad, if you want to get with
 24 me tomorrow or Monday and if you have any suggestions, I'll
 25 be glad to try to work on them.

1 Senator Meek, for what purpose?
 2 SENATOR MEEK: Do I have to state it?
 3 SENATOR LAURENT: Yes.
 4 SENATOR MEEK: It's not a motion. It's a question,
 5 Mr. Chairman.
 6 SENATOR LAURENT: That's fine.
 7 SENATOR MEEK: Mr. Chairman, I guess I talked about
 8 the issue of deviation, as you know, last meeting I had
 9 some questions about some issues as it relates to what
 10 level of deviation does one use if one wants to put
 11 together a map and we definitely want to make sure it's
 12 something that's close since we'll use 006 as our working
 13 document.
 14 I know that there is Supreme Court precedent out there
 15 since the last time that we've done it that goes all the
 16 way up to a 10 percent deviation to help us resolve some of
 17 our issues. And I think it's important that we do this,
 18 because like the Orlando district that Senator Dyre now
 19 represents, there is less, how would you say, minority
 20 voting population there or minority opportunities to elect
 21 someone to that seat than there is right now.
 22 So if we were able to at least go up to 10 percent or
 23 8 percent or whatever it may be, and that's really what I'm
 24 trying to get to, is figure out what is an acceptable
 25 deviation especially around that area so that we don't go

1 through what, what's the legal term, regression in that
 2 area as relates to minority opportunity.
 3 SENATOR LAURENT: Okay. I want to make sure the
 4 members understand what deviation is. A 10 percent
 5 deviation below the magic number 399,000 could be a
 6 20 percent deviation on the map. If someone went 10,000
 7 above to pick up the 10,000 down, you have 10,000 above,
 8 10,000 down, that's a 20,000 deviation on the map because
 9 you go from the district that's the most over to the
 10 district that's the most under.
 11 We clearly, I think, are charged with trying to get as
 12 close to reasonably possible one vote, one person in the
 13 map. In some areas if you have a rational, a good reason
 14 for it, it may not make sense to come to a county boundary
 15 and run in and pick up 600 folks in another county and tack
 16 it on to a large county. But, I mean, there isn't a magic
 17 number that we've arrived at. And basically the amount of
 18 deviation that will be allowed on the map is the number you
 19 can convince enough Senators to vote for.
 20 SENATOR MEEK: Mr. Chair, well I guess the concern,
 21 especially in that particular seat, seeing how those
 22 historically minority communities are being diluted as
 23 relates to the vote, not being able to -- I mean, you said
 24 maybe in some of these seats we can use different
 25 deviation. But zero deviation, that's the principle for

1 congressional reapportionment, am I correct, versus
2 legislative reapportionment. And I guess I wanted to get
3 some wisdom from you as it relates to the fact that it is
4 allowed, it's not outlawed, that one can go to 10 percent
5 deviation because there is precedent in the Supreme Court
6 and also legislative plans.

7 SENATOR LAURENT: We have a great deal more latitude
8 in a state reapportionment plan than you do have in a
9 congressional plan. In a congressional plan you basically
10 can't have any deviation.

11 SENATOR MEEK: So when you say 1.5 -- what's the
12 average deviation of all of these seats? Do you see a
13 different deviation on different plans? Do we have a
14 particular deviation up or down on minority plans or urban
15 plans or rural plans? What's the -- what is the status quo
16 here?

17 SENATOR LAURENT: That would be something -- I mean,
18 the information you have before you, you can determine
19 that. I don't know the answer to that off the top of my
20 head. We have 2 percent deviation from the district that's
21 the most over to the one that's most under. I couldn't
22 even tell you which those two districts are off the top of
23 my head.

24 In the packet that you have, you have that
25 information. Senate District 20, is that 4,988? Is that a

1 minus? Under? And Senate District 26 is 3,059 over.
2 That's straight population.

3 SENATOR MEEK: Mr. Chairman, I think the question --
4 I'm glad you're pointing some of this out because I think
5 the question on the deviation issue, I just want to make
6 sure that if one Senator, hypothetically speaking, on
7 this -- well, not me, but could be me, if a Senator was to
8 put together a plan and the deviation was to be different
9 on some seats than others, that it will maybe fall within
10 what I believe is a criteria in 006 but there is a rule of
11 thumb between 1.5 or zero to three, then I would know to
12 stay within that.

13 The seat that is in question, I'm talking about in the
14 Orlando area, in Senator Dyre's seat, that does bring about
15 an opportunity, and there are people who want to run there,
16 but with 006, it's some concern because they feel it's been
17 diluted. They didn't think it would be diluted to the
18 point or go through some sort of regression. But would it
19 be fair to say we have dropped in those numbers there?
20 Yes, no, maybe?

21 SENATOR LAURENT: In Senate District 6, there has been
22 some percentage drop in the total African-American
23 population as a percentage not in numbers. There has
24 been -- in the Orlando area, that seat there's probably
25 been an improvement. In your seat, I don't believe there

1 has been any regression.

2 SENATOR MEEK: Okay. Thank you, Mr. Chairman.

3 SENATOR LAURENT: Any other questions? Do I hear a
4 motion to temporarily pass a bill? With no objection, show
5 the motion carrying. With that, we're adjourned.

6 (Meeting adjourned at 6:40 p.m.)
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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
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