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SENATE COMMITTEE ON REAPPORTIONMENT MEETING

MARCH 12, 2002

1:30 p.m. - 5:00 p.m.

412 KNOTT BUILDING

TALLAHASSEE, FLORIDA

REPORTED BY:

MONA L. WHIDDON

COURT REPORTER

Division of Administrative Hearings

DeSoto Building

1230 Apalachee Parkway

Tallahassee, Florida

1 MEMBERS IN ATTENDANCE
 2 CHAIRMAN DANIEL WEBSTER
 SENATOR GINNY BROWN-WAITE
 3 SENATOR WALTER G. CAMPBELL, JR.
 SENATOR LISA CARLTON
 4 SENATOR LEE CONSTANTINE
 SENATOR ANNA P. COWIN
 5 SENATOR VICTOR D. CRIST
 SENATOR ALEX DIAZ DE LA PORTILLA
 6 SENATOR BUDDY DYER
 SENATOR RUDY GARCIA
 7 SENATOR STEVEN A. GELLER
 SENATOR BETTY S. HOLZENDORF
 8 SENATOR DARYL L. JONES
 SENATOR JAMES E. KING, JR.
 9 SENATOR RON KLEIN
 SENATOR JACK LATVALA
 10 SENATOR JOHN F. LAURENT
 SENATOR ALFRED LAWSON, JR.
 11 SENATOR TOM LEE
 SENATOR KENDRICK B. MEEK
 12 SENATOR LESLEY MILLER, JR.
 SENATOR DURELL PEADEN, JR.
 13 SENATOR BILL POSEY
 SENATOR KEN PRUITT
 14 SENATOR DEBBY P. SANDERSON
 SENATOR BURT L. SAUNDERS
 15 SENATOR JIM SEBESTA
 SENATOR RONALD A. SILVER
 16 SENATOR ROD SMITH
 SENATOR DONALD C. SULLIVAN, M.D.
 17 SENATOR J. ALEX VILLALOBOS
 SENATOR DEBBIE WASSERMAN-SCHULTZ
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1 THE SECRETARY: Senator Geller.
 2 SENATOR GELLER: Here.
 3 THE SECRETARY: Senator Holzendorf.
 4 SENATOR HOLZENDORF: Here.
 5 THE SECRETARY: Senator Jones.
 6 SENATOR JONES: Here.
 7 THE SECRETARY: Senator King.
 8 SENATOR KING: Here.
 9 THE SECRETARY: Senator Klein.
 10 SENATOR KLEIN: Here.
 11 THE SECRETARY: Senator Latvala.
 12 SENATOR LATVALA: Here.
 13 THE SECRETARY: Senator Laurent.
 14 SENATOR LAURENT: Here.
 15 THE SECRETARY: Senator Lawson.
 16 SENATOR LAWSON: Here.
 17 THE SECRETARY: Senator Lee.
 18 SENATOR LEE: Here.
 19 THE SECRETARY: Senator MEEK.
 20 SENATOR MEEK: Here.
 21 THE SECRETARY: Senator Miller.
 22 SENATOR MILLER: Here.
 23 THE SECRETARY: Senator Peaden.
 24 SENATOR PEADEN: Here.
 25 THE SECRETARY: Senator Posey.
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1 PROCEEDINGS
 2 CHAIRMAN WEBSTER: Ladies and gentlemen, if
 3 we could have your attention, the Senate Committee
 4 on Reapportionment is called to order. The
 5 Secretary will call the roll.
 6 THE SECRETARY: Senator Webster.
 7 SENATOR WEBSTER: Here.
 8 THE SECRETARY: Senator Brown-Waite.
 9 SENATOR BROWN-WAITE: Here.
 10 THE SECRETARY: Senator Campbell.
 11 SENATOR CAMPBELL: Here.
 12 THE SECRETARY: Senator Carlton.
 13 SENATOR CARLTON: Here.
 14 THE SECRETARY: Senator Constantine.
 15 SENATOR CONSTANTINE: Here.
 16 THE SECRETARY: Senator Cowin.
 17 SENATOR COWIN: Here.
 18 THE SECRETARY: Senator Crist.
 19 SENATOR CRIST: Here.
 20 THE SECRETARY: Senator Diaz de la Portilla.
 21 SENATOR DIAZ de la PORTILLA: Here.
 22 THE SECRETARY: Senator Dyer.
 23 SENATOR DYER: Here.
 24 THE SECRETARY: Senator Garcia.
 25 SENATOR GARCIA: Here.
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1 SENATOR POSEY: Here.
 2 THE SECRETARY: Senator Pruitt.
 3 SENATOR PRUITT: Here.
 4 THE SECRETARY: Senator Sanderson.
 5 SENATOR SANDERSON: Here.
 6 THE SECRETARY: Senator Saunders.
 7 SENATOR SAUNDERS: Here.
 8 THE SECRETARY: Senator Sebesta.
 9 SENATOR SEBESTA: Here.
 10 THE SECRETARY: Senator Silver.
 11 SENATOR SILVER: Here.
 12 THE SECRETARY: Senator Smith.
 13 SENATOR SMITH: Here.
 14 THE SECRETARY: Senator Sullivan.
 15 SENATOR SULLIVAN: Here.
 16 THE SECRETARY: Senator Villalobos.
 17 SENATOR VILLALOBOS: Here.
 18 THE SECRETARY: Senator Wasserman Schultz.
 19 SENATOR WASSERMAN-SCHULTZ: Here.
 20 THE SECRETARY: A quorum is present.
 21 CHAIRMAN WEBSTER: Okay. Members of the
 22 committee, we have, under Tab 1, a substitute for
 23 Senate Joint Resolution 580. During the
 24 subcommittee, Tab 2 was what was passed in Senator
 25 Laurent's subcommittee, that's S17S009. That is
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1 the plan that we have before us; however, because
2 there are several amendments. I think probably
3 what we will do is go through each amendment and
4 there will be no substitute amendments, it'll just
5 be an up and down vote on all of the amendments
6 and they are ordered in the way they were
7 received.
8 So, under Tab -- before we go to Tab 3, I am
9 going to allow the sub-chair, Senator Laurent, to
10 make some comments on the process up-to-date.
11 SENATOR LAURENT: Thank you, Mr. Chairman.
12 The plan that we passed out of the subcommittee,
13 it's in the packet under Tab 2.
14 The basic things we used, we used in
15 developing this plan, was we attempted to balance
16 many considerations. Some of those considerations
17 are conflicting considerations. First and
18 foremost is that it must comply with the Federal
19 Constitution and Constitution of the State of
20 Florida. Second, Federal law also contains
21 requirements in the Florida Voting Rights Act,
22 both Section 2 and Section 5 provisions of the
23 Act, we intend to take those into account.
24 In addition to these legal requirements in
25 drawing districts, we'll listen to our members who
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1 know their communities and their specific
2 concerns, the specific communities of interest
3 that they represent. We took into account the
4 information gathered in the public hearings, which
5 was sometimes conflicting, but some of the most
6 frequently cited things were preserving
7 incumbents, preserving current districts and other
8 communities of interest as well.
9 The plan that we passed out of the
10 subcommittee was our best attempt at that point.
11 Since that time the plan has gone under -- has
12 undergone some continued development and I have
13 a -- an additional plan that will be presented
14 later today.
15 SENATOR GELLER: Mr. Chair.
16 CHAIRMAN WEBSTER: Senator Geller.
17 SENATOR GELLER: I have a question on the
18 procedure that you just enunciated, if I may.
19 CHAIRMAN WEBSTER: You are recognized.
20 SENATOR GELLER: Thank you, sir. I'm not
21 sure I fully understood or heard actually what you
22 were saying. Some of the amendments, some of the,
23 I guess they are considered bills, that I filed
24 are substantially similar to some of the other
25 bills and I had intended to do those as amendments
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1 to the other bills. But they are, in each case --
2 in one case, it affects only four districts, one
3 case, it affects only five districts, they are
4 each substantially similar to one of the other
5 maps. And I was hoping to do those as an
6 amendment. Can you tell me whether that will be
7 permitted?
8 CHAIRMAN WEBSTER: Thank you, Senator Geller.
9 I didn't really finish what I was talking about.
10 All I was trying to say is that each amendment
11 would be voted up and down, whether it be an
12 amendment or an amendment to the amendment, that
13 as opposed to having substitute amendments or
14 something that would negate one of the amendments,
15 but I didn't fully explain that.
16 And that if you have an amendment that you
17 want to offer as an amendment to the amendment,
18 you can just tell us when we get to yours, and
19 that would be fine. If we are on an amendment
20 that you want to amend, just let us know and we'll
21 take that up before we actually vote on the main
22 question.
23 SENATOR GELLER: Thank you, Mr. Chair.
24 Specifically, for example, my plan, S29S0018, is
25 an amendment to Senator Laurent's plan, S0016, it
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1 changes a total of three districts, and if that
2 should be adopted, I would, at that point, plan on
3 voting for Senator Laurent's 0060, so I will have
4 the opportunity to offer the 0018 as an amendment
5 to 0016; is that correct?
6 CHAIRMAN WEBSTER: Yes.
7 SENATOR GELLER: Thank you.
8 CHAIRMAN WEBSTER: But -- okay. I probably
9 may take those out of order then. Well, we have
10 two amendments. If that were to take place you
11 probably would want to first allow -- well, I
12 don't know what you would want to do, because
13 there is other amendment to the amendment which is
14 by --
15 SENATOR GELLER: Senator Diaz de la Portilla.
16 CHAIRMAN WEBSTER: Yes, okay. Well, we'll
17 read that.
18 SENATOR GELLER: They are not conflicting
19 amendments, they deal with different cities, you
20 could adopt both of them.
21 CHAIRMAN WEBSTER: Yes, but if we adopt it in
22 total, we actually would wipe out the other
23 amendment to the amendment, so we'll work on
24 making sure that that procedure at least is
25 correct.
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1 SENATOR GELLER: Thank you, Mr. Chair.
 2 CHAIRMAN WEBSTER: Are you also offering your
 3 Plan 20 or 21 as an amendment to the Holzendorf
 4 amendment?
 5 SENATOR GELLER: Mr. Chair, I believe that
 6 Senator Holzendorf will be accepting that as a
 7 friendly amendment. The -- 20 and 21 are
 8 identical with a technical computer glitch in
 9 downloading 20, so with that exception, that
 10 technical glitch, 20 and 21 are identical and
 11 those will be offered as an amendment to Senator
 12 -- Plan 0019 by Senator Holzendorf.
 13 It is my understanding that that's being
 14 accepted as a friendly amendment, but I would have
 15 to reconfirm that.
 16 CHAIRMAN WEBSTER: Okay. Here's what we will
 17 do on that one. Because 21 was introduced after
 18 the amendment filing deadline, we have no way of
 19 suspending rules in a committee, but what we can
 20 do is just, if your amendment to the amendment is
 21 adopted, which would be 20, we'll allow staff to
 22 make technical corrections, which would be 21, and
 23 that's the way we can get around that problem.
 24 SENATOR GELLER: Thank you, Mr. Chair. I
 25 appreciate that. If I could just follow up on
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1 that. Twenty was submitted in a timely fashion.
 2 Unfortunately, when the computer down -- there's a
 3 software glitch that when it was downloaded, it
 4 omitted one Senate seat, it ended up with some
 5 blank unassigned spaces.
 6 And so, 21 is merely the technical correction
 7 to 20 which was submitted in a timely fashion.
 8 CHAIRMAN WEBSTER: Okay.
 9 SENATOR GELLER: Thank you.
 10 CHAIRMAN WEBSTER: Senator Holzendorf, do
 11 you --
 12 SENATOR HOLZENDORF: Yes, I have a question.
 13 CHAIRMAN WEBSTER: You are recognized.
 14 SENATOR HOLZENDORF: Thank you. I see that
 15 we have a map here which is Senator Laurent's 09
 16 map. Is this the map now that we are to amend or
 17 is Senator Laurent going to have another map to
 18 that map? Because officially, it's my
 19 understanding this is the map before us.
 20 CHAIRMAN WEBSTER: Okay. What we have before
 21 us is what passed out of subcommittee. And then
 22 the first amendment we had planned to take up was
 23 your 0012, but did you prefer to take one or the
 24 other, or both 0012 and 0019?
 25 SENATOR HOLZENDORF: No, I want to withdraw
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1 0012 and I want to take up -- I guess it's 0019.
 2 CHAIRMAN WEBSTER: Okay. Our first
 3 amendment, which was 0012 by Senator Holzendorf,
 4 show that withdrawn without objection. Now, we
 5 are on Tab 4. Senator Holzendorf, you are
 6 recognized.
 7 SENATOR HOLZENDORF: Am I to sit here?
 8 CHAIRMAN WEBSTER: You can sit there or --
 9 you can talk wherever you want to talk from.
 10 SENATOR GELLER: Mr. Chair, is this
 11 Holzendorf 0019 or Holzendorf 0012?
 12 SENATOR HOLZENDORF: 0019.
 13 SENATOR GELLER: Thank you.
 14 CHAIRMAN WEBSTER: 0012 is withdrawn. Now,
 15 Senator Holzendorf, before you explain yours,
 16 Senator Geller said he had a friendly amendment to
 17 your bill; do you want to explain yours first and
 18 then let him offer his amendment or --
 19 SENATOR GELLER: Mr. Chair, if I could let
 20 her explain hers first because mine is a
 21 relatively minor amendment, so I would prefer to
 22 just let her explain hers first.
 23 CHAIRMAN WEBSTER: Senator Holzendorf, you
 24 are recognized to explain your amendment.
 25 SENATOR HOLZENDORF: Thank you, Mr. Chairman.
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1 Mr. Chairman, what I'm offering here is this
 2 Senate map that proposes a fair Senate
 3 redistricting plan that is drawn utilizing
 4 legally-accepted redistricting criteria.
 5 This plan that I'm proposing reflects the
 6 public hearing testimony. It also is reflective
 7 of protection for incumbent interests and minority
 8 voting rights. The plan attempts to protect
 9 communities of interest and to keep counties and
 10 cities whole to the extent possible.
 11 Mr. Chair, the proposed plan is also
 12 respectful of the State's registered voters, which
 13 is practically split evenly. The plan complies
 14 completely with the 14th Amendment, one man, one
 15 vote requirement. The overall deviation on the
 16 plan is 3.7 percent. The highest positive
 17 deviation is 1.8 and the lowest negative deviation
 18 is 1.8.
 19 Based on the foregone mentioned criteria, the
 20 proposed Senate plan creates the following
 21 districts: There are four majority total
 22 population, nine Hispanic, African-American
 23 districts. It creates four majority total
 24 population Hispanic districts.
 25 The plan also creates two Hispanic and black
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1 access seats. Access has been traditionally
 2 defined as a district with a voting age population
 3 of 30 percent. These -- the access districts are
 4 14, which has a voting age population of 32.9
 5 percent and District 38 which has a Hispanic
 6 population of 35.3 percent.
 7 The map is politically correct in that it
 8 creates 20 majority Democratic districts, 20
 9 majority Republican districts, and based on
 10 performance, that plan draws 23 Republican
 11 districts and 17 Democratic districts.
 12 CHAIRMAN WEBSTER: Are there questions of the
 13 sponsor? Senator Geller.
 14 SENATOR GELLER: No. I was going to say, Now
 15 would you like me to explain the amendment?
 16 CHAIRMAN WEBSTER: Senator Laurent, you're
 17 recognized for a question.
 18 SENATOR LAURENT: Senator Holzendorf, I'm
 19 looking at the map, District Number 2, there's a
 20 deviation of an additional, I think, 6,607 folks;
 21 and in Senate District 1, there is a deviation of
 22 3,281 folks.
 23 Was there any specific -- what was your
 24 specific policy in the population deviation of
 25 those two districts?
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1 SENATOR HOLZENDORF: Okay. In District --
 2 you -- you said District Number -- now, I did not
 3 change the numbers, so, if you are referring to a
 4 district number, I am thinking of the current
 5 district numbers, I did not change any one numbers
 6 because it made it easier for me.
 7 If you are talking about the district that I
 8 currently represent, the deviation is greater
 9 because to create that district as a
 10 minority/majority district, you had to gerrymander
 11 it all the way over to Alachua County, and the
 12 only reason that you would go through that process
 13 would be to pick up the African-American
 14 population that you could very easily pick up by
 15 going through St. Johns, Flagler and Volusia
 16 Counties. The distance is shorter and the
 17 population is greater.
 18 CHAIRMAN WEBSTER: Recognized for follow-up.
 19 SENATOR LAURENT: Senator Holzendorf, I was
 20 referring to Senator Peaden's district in the
 21 Panhandle that had a population deviation of over
 22 6600. In Senator Hughes' district, had a
 23 population deviation of about 3300 and Senator
 24 Clary's had a deviation of about 6600 and I was
 25 just asking what policy you used to create that --
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1 why you did such a large deviation there and not
 2 in the other.
 3 SENATOR HOLZENDORF: Thank you, Mr. Chairman.
 4 That district that Senator Laurent is speaking of
 5 is Districts 1 and 7 and that's in the area that
 6 we refer to as the Panhandle. What we took into
 7 consideration there was that the residents in, I
 8 think it was Gulf and Franklin and Calhoun and
 9 Liberty Counties wanted to be kept together and
 10 then Gadsden, Leon -- Gadsden and Leon Counties
 11 wanted to be kept together.
 12 You are talking about the area where -- Gulf,
 13 Franklin, Wakulla, Liberty, Calhoun, Jackson,
 14 Gadsden and Leon. That was based specifically on
 15 the testimony. And while I -- that testimony is
 16 available on the Internet.
 17 CHAIRMAN WEBSTER: Senator, can you respond?
 18 For follow-up, Senator Laurent.
 19 SENATOR LAURENT: Senator Holzendorf, one of
 20 the requirements that we have to deal with is
 21 Section 5 of the Voting Rights Act and Florida has
 22 several Voting Rights' counties: Hillsborough
 23 County, Hendry County, Collier County and Monroe
 24 County.
 25 In Hillsborough County, in Senator Miller's
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1 district, your deviation both in the population,
 2 voting age population, and registered voters for
 3 African-American was several percentage points
 4 higher than the deviation that I have in the map
 5 that I have filed today.
 6 Can you give me why you deviated down to such
 7 an extent in a Section 5 county in Senate District
 8 21?
 9 CHAIRMAN WEBSTER: Senator Holzendorf.
 10 SENATOR HOLZENDORF: Thank you, Mr. Chairman.
 11 In Senator Miller's district, I used the same
 12 concept when we created that district. You know,
 13 that district was not created by the Legislature,
 14 but by the courts. And so, in preserving that
 15 district, my concern with that was not to worry so
 16 much about the deviation, but to preserve the
 17 district and the character of the district as it
 18 was drawn by the courts.
 19 CHAIRMAN WEBSTER: Senator Laurent.
 20 SENATOR LAURENT: So, you felt in Senator
 21 Miller's district that the -- in trying to
 22 maintain the footprint of the district was as
 23 important or more important than the deviation
 24 minority population?
 25 SENATOR HOLZENDORF: No, it was not. But one
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1 of the things that we had to do in that district
2 was maintain the character of that district and
3 those precincts in there, Senator, because that
4 was a part of drawing that district.

5 And it wasn't so much the character, but if
6 we could keep the district and keep the
7 communities that it currently had simply by
8 expanding on that district and continuing to make
9 it a minority district, I think that that was key
10 in drawing that district.

11 CHAIRMAN WEBSTER: Senator Laurent.

12 SENATOR LAURENT: Also, Hillsborough County
13 is a Section 5 county, Senator Lee represents
14 Hillsborough County. When the Court's drew that
15 district, Senator Miller's district, they also
16 attached a minority population, predominantly in
17 Lakeland to Senator Lee's district which is
18 centered in a Section 5 county.

19 In your map, you removed that minority
20 population from the district that was in the
21 Section 5 county, and I just was curious as to
22 what the rationale for that, for that change was.

23 CHAIRMAN WEBSTER: Senator Holzendorf.

24 SENATOR HOLZENDORF: I am trying to find it
25 on the map. I don't see where -- where is the
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1 part that we removed from -- but we didn't -- if I
2 remember correctly, Senator Lee's district had to
3 lose a number of people and in order to maintain
4 that and draw the districts, I'm pretty sure
5 that's what we did, but I need to look at that. I
6 didn't pull the stats on this.

7 CHAIRMAN WEBSTER: Senator Laurent for
8 follow-up.

9 SENATOR LAURENT: In -- related to another
10 Section 5 issue, Hendry and Collier Counties,
11 which are both Section 5 counties, are currently
12 represented, are split in your map. And the
13 Hispanic area of Collier County, which
14 historically has not been attached to the coast,
15 has been placed in a -- which I believe will
16 probably be considered a Democratic voting block,
17 the Hispanic portion of the Section 5 counties
18 attached to the coast.

19 And I wanted to ask you whether you
20 considered that was a community of interest to
21 take into account the liberal requirements of
22 Section 5.

23 CHAIRMAN WEBSTER: Senator Holzendorf.

24 SENATOR HOLZENDORF: Thank you, Mr. Chairman.
25 If you look at Collier, Hendry and Lee Counties,
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1 Senator, if you would go back and on the testimony
2 that we received, it appeared that they wanted
3 Collier County to stay whole and that was the only
4 way we could do it.

5 CHAIRMAN WEBSTER: Senator Laurent.

6 SENATOR LAURENT: Now, your current district
7 that you have represented currently goes to
8 Alachua County?

9 SENATOR HOLZENDORF: Correct.

10 SENATOR LAURENT: And you currently represent
11 a minority population in Alachua County?

12 SENATOR HOLZENDORF: Correct.

13 SENATOR LAURENT: Your map takes your
14 district out of Alachua County where there's been
15 historical representation and takes your district
16 to a minority population in Daytona. It doesn't
17 make the district more compact.

18 In fact, formality standpoint, it may be a
19 little bit more. What was your public policy in
20 pulling your district out of a minority population
21 that's been historically represented by your
22 district and picking up an entirely new minority
23 population?

24 SENATOR HOLZENDORF: Mr. Chairman.

25 CHAIRMAN WEBSTER: Senator Holzendorf.
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1 SENATOR HOLZENDORF: Senator Laurent, when
2 that district was drawn ten years ago the district
3 pretty much mimicked the Congressional district.
4 A lawsuit was filed against the Congressional
5 district and that lawsuit was won, and the reason
6 it was was because of the way that the district
7 was drawn to connect the African-American
8 population.

9 To keep from having that kind of challenge
10 against this district, we decided that we would
11 not do that this year because we felt certain it
12 would be challenged, because to get to those
13 African-American communities, you had to go
14 through rural, farm communities which had nothing
15 in common with the communities that we were
16 attempting to connect.

17 But if you would look at the district as it
18 is drawn, you go from Duval County to St. Johns
19 County down to Flagler to Volusia Counties, they
20 all have a tourist attraction because of their
21 beaches, they all have higher educational
22 institutions that can relate, and the fact that
23 those communities are growing communities and they
24 are African-American population, if you are trying
25 to do a majority minority district have some

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1 similarities.

2 And so, we tried to do -- we tried to find

3 communities that had a common interest and that

4 the representation of those communities would not

5 be torn apart as you tried to represent some of

6 the areas that you have to represent if you are

7 going to go through Putnam over to Alachua.

8 And we never did get to the university

9 community in Alachua County, it was the rural

10 communities.

11 CHAIRMAN WEBSTER: Okay. Are there further

12 questions? We have a -- under Tab 5, we have an

13 amendment to the amendment by Senator Geller which

14 he is representing only changes a few districts

15 but is the same style as the amendment we have

16 before us. Senator Geller, you're recognized on

17 your amendment to the amendment.

18 SENATOR GELLER: Thank you. I've been

19 advised that the map that I amended this to is the

20 Alpha version, or Beta Gamma Delta Epsilon, you

21 know, the beta version of their map, not the --

22 the Beta version, so that such being the case, if

23 I do actually proceed with my amendment, I would

24 be making amendments outside of South Florida.

25 I will, therefore, be withdrawing the

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1 amendment today and reoffering it on the floor

2 when we get it fixed. That will require me to

3 vote against the map today, but when we are able

4 to fix it on the floor, then I'll be able to

5 probably be supportive of the map.

6 CHAIRMAN WEBSTER: Show that amendment

7 withdrawn, which is S29 and S0020, and its

8 technical counterpart, 21, withdrawn without

9 objection.

10 Now, we are back on Senator Holzendorf's

11 amendment. Is there debate on the amendment?

12 SENATOR MILLER: Mr. Chairman --

13 CHAIRMAN WEBSTER: Actually, I heard your

14 voice first, but I saw Senator Klein's hand first.

15 But, Senator Klein, you are recognized, then we'll

16 go down the row here.

17 SENATOR KLEIN: Thank you very much, Mr.

18 Chair. This map, I believe, has many of the

19 elements that we heard about in our testimony

20 throughout the state and I did attend many of the

21 hearings, particularly as it relates to most of

22 the communities of interest.

23 The one area that I do have a concern on is

24 Senator Mitchell's area, Senator Mitchell's seat.

25 And I think that that area still needs, that

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1 particular section of the map, still needs to be

2 corrected, I'm going to vote for this amendment

3 today but with the understanding that we go back

4 and consider fixing that piece of it.

5 I know Senator Geller also had some other

6 issues which I think can be fixed in a future

7 amendment in South Florida, but Senator Mitchell's

8 seat is really my primary interest up in the

9 northern part of the state and I would like to see

10 that get fixed.

11 But I'm going to support the amendment today

12 with the understanding that that map is fixed to

13 accommodate Senator Mitchell's status.

14 CHAIRMAN WEBSTER: Senator Miller, you are

15 recognized today.

16 SENATOR MILLER: Thank you, Mr. Chairman. I

17 have the same concern that Senator Klein had

18 concerning Senator Mitchell's seat. But I also

19 want to bring in some comments that were heard

20 around the state during the testimony.

21 We had 24 public hearings around the State of

22 Florida, many of them were held in locations and

23 at times that were not conducive for most citizens

24 to come out and talk about what they thought was

25 important to them in holding certain areas,

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1 communities together, and things along those

2 lines, the vast, diverse group of people that

3 should have come before us and didn't have that

4 opportunity.

5 And as I say, many of the meetings were just

6 not held at a particular, good time. A case in

7 point, a city that I represent, St. Petersburg,

8 which is one of the largest cities in the state,

9 didn't have a public hearing held in it at all,

10 which I thought was a significant blow to that

11 particular county, that particular city,

12 specifically, that they have a large

13 African-American, Hispanic population.

14 All of those citizens were unable to be

15 there. We did get comments from people from

16 around the state. And I think this map adheres to

17 the majority of those comments that we heard in

18 trying to assure that even though we talk about

19 Section 5 of the Voting Rights Act, which is

20 vitally important because my district is one of

21 those districts and other parts of the state, I

22 think some of the other things we didn't look at,

23 most importantly is what the particular people in

24 Florida want for their particular areas,

25 particular districts.

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1 For instance, in the Panhandle, and this is
2 the testimony we heard, Mr. Chairman, and I think
3 this map tries to, and does a very good job, of
4 trying to adhere to what they wanted.
5 Number one, in the Panhandle, the testimony
6 indicated the residents of Gulf, Franklin, Calhoun
7 and Liberty Counties want to be kept together.
8 Gadsden County and Leon County wants to be kept
9 whole in one district.
10 There was also testimony concerning bringing
11 District 3 eastward out of Panama City and,
12 overall, the citizens in the Panhandle didn't want
13 their counties unnecessarily split. This map
14 adheres to that testimony. This map does not
15 split Leon and does not split Bay County.
16 In North Florida when we were there, the
17 hearing -- the testimony indicated that the
18 residents of Wakulla, Putnam and Alachua Counties
19 did not want their counties split. The public
20 also testified that they did not want Citrus, Levy
21 or Sumter Counties divided. This map abides by
22 that testimony providing that the communities and
23 the counties of North Florida: Wakulla, Alachua,
24 Citrus and Levy are kept intact.
25 Citrus is only split between District 2 and
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1 District 5. In Orlando, central Florida was one
2 of the places that we did have a good turnout of
3 people because of the hour that we did have that
4 particular hearing. In Orlando, there was
5 considerable testimony regarding the need to
6 protect and maintain the Hispanic and black
7 communities together because they have a common
8 interest in protecting incumbents of the minority
9 district. This map keeps the Hispanic and
10 African-American communities intact with Senate
11 District 14.
12 And in southeast Florida, the public
13 testimony was uniform in their request to have St.
14 Lucie County represented by one Senator. This map
15 adheres to their particular comment because it
16 basically keeps Indian River County within that
17 one particular district, and the map keeps Indian
18 River in District 15.
19 Those are just a few of the comments that we
20 heard from people around the state and I think
21 those are the ones that were pertinent that this
22 map tried to adhere to what the people of the
23 state of Florida wanted.
24 We always talk about what we are trying to do
25 for the people of the state of Florida and how we
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1 want to adhere to what their needs are, and when
2 we've traveled the state, I attended a vast
3 majority of those meetings, we heard that they
4 wanted to be compact, they wanted to have
5 communities of interest, they didn't want to split
6 counties, and this particular map does do that.
7 Yes, I have a concern about Senator
8 Mitchell's district, but I think as we go through
9 the process, we can continue to work on that.
10 So, I ask for your support on this map
11 because it meets the needs, overwhelming needs, of
12 what we heard from around the state of Florida in
13 testimony from the public.
14 CHAIRMAN WEBSTER: Senator Wasserman Schultz,
15 you are recognized today.
16 SENATOR WASSERMAN-SCHULTZ: Thank you, Mr.
17 Chairman. I too want to speak in favor of Senator
18 Holzendorf's amendment. Primarily, the thing that
19 is the most attractive about it for me is the fact
20 that it promotes the least change in most of the
21 districts across the state of Florida.
22 I think one of the things that came through
23 pretty clearly in the public hearing process was
24 that people want to make sure that they are
25 protected in terms of what they view as their
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1 immediate sphere of influence, their immediate
2 community of interest.
3 And in Senator Holzendorf's map, the best
4 efforts are made to do that. We, for example, I
5 mean, I'll just use the district that I represent
6 and would represent under Senator Holzendorf's
7 map, I have the biggest Senate district in the
8 state right now, I need to lose about 118,000
9 people, and Senate District 32 in Senate
10 Holzendorf's map would basically just shave around
11 the edges of my current district and eliminate
12 those approximately 118,000 people and leave me
13 with what I'm currently representing minus those
14 people.
15 That is an example of what would be the least
16 change and the most familiarity for the people who
17 would be left in Senate District 32. That we want
18 to make sure, one of our goals, I think, should be
19 to maintain people's familiarity with their
20 elected representatives.
21 There are far too many people in the state of
22 Florida and, unfortunately, across this country
23 that aren't familiar with who represents them.
24 And it seems as though just when we get them
25 familiar, just when they become comfortable,
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1 that's when we draw the districts, and if we do it
2 too drastically, we leave them in an uncomfortable
3 situation.
4 So, I think that, primarily, because we want
5 to make sure that people are familiar with their
6 legislators, familiar with their districts, if you
7 promote a map, if we pass a map that promotes the
8 least change like this one does, then I think that
9 is going to reflect the best public policy that we
10 want to put forward over the next decade, which is
11 what we are doing there.
12 So, thank you very much and I would urge the
13 support of the amendment, although, I would
14 actually request that Senator Holzendorf's review
15 of Senator Mitchell's district as it is currently
16 configured in this map because I too have some
17 concerns about that.
18 CHAIRMAN WEBSTER: Senator Geller, you are
19 recognized for debate.
20 SENATOR GELLER: Thank you, Mr. Chair. If I
21 could go over to the computer --
22 CHAIRMAN WEBSTER: Okay. Senator Geller, you
23 are recognized in high-tech debate.
24 SENATOR GELLER: Thank you, Mr. Chair. Just
25 a second. Everyone knows how wonderfully computer
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1 skilled I am.
2 I am having to vote against this bill today.
3 And a prime concern of mine is this brown seat
4 that you see here, there is in the record, Mr.
5 Chair, I believe, that you and Senator Laurent
6 have seen it, a resolution from the City of
7 Hallandale Beach expressing their strong
8 displeasure of being a tiny part of a Dade County
9 seat.
10 If you look right there, this is the City of
11 Hallandale Beach right there and, again, it is in
12 the record and there are letters from elected
13 officials of the City of Hallandale Beach that
14 they don't want to be a small part of a Dade
15 County seat.
16 Additionally, if you will look at this map,
17 you will find that the only way to connect this
18 area of the district with this area of the
19 district is either by airboat over here or by
20 driving through Senator Sanderson's district,
21 Senator Dawson's district, Senator Campbell's
22 district, Senator Klein's district, and then
23 getting up to the northern part here, which is
24 roughly 160,000 of the 400,000 people.
25 Obviously, this is something that I could not
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1 in any way, shape or form support and I know that
2 this is something, as I said, the people in
3 Hallandale Beach have already passed a resolution
4 against.
5 I was intending to come in and vote for the
6 map once we had made the technical corrections
7 over here in this area; however, since we were
8 unable to offer that amendment, and we'll have to
9 offer that at the next stop, I'm unable to vote
10 for this map which, again, connects the southern
11 portion and the northern -- this is a good 60 or
12 70 miles connecting them only by airboat or by
13 going through four other districts.
14 So, that's why I will be unable to vote for
15 the map today. Again, I had planned on voting for
16 the map if we had made the other changes to it.
17 CHAIRMAN WEBSTER: Are there others who would
18 like to debate this particular amendment? Senator
19 Holzendorf, you are recognized to close on your
20 amendment.
21 SENATOR HOLZENDORF: Thank you, Mr. Chairman.
22 And, Mr. Chairman, let me just explain. And what
23 I attempted to do was not draw me a district or
24 draw any district for anyone, what I attempted to
25 do was reapportion this state and try to do it
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1 with compact districts based on the testimony.
2 Now, you have to remember that the people
3 testified without knowing where the lines were
4 going to be. They testified based on the
5 representation that they had, so all we could do
6 was try to put together a map following their
7 testimony and following the guidelines of the
8 Voting Rights Act. And that's what we attempted
9 to do, we tried to have districts that were
10 compact, we tried to have districts that met the
11 basic tenets of the Voting Rights Act.
12 If there was a minority district, we tried to
13 keep that minority district, if there was a
14 minority influence district, we tried to keep
15 that. Where there was gerrymandering, we tried to
16 straighten that out. We tried to keep everything
17 as compact as possible and we kept the same
18 numbers because when people are going to the polls
19 to vote, they know that they are voting in Senate
20 District 2, so they go looking to vote at a
21 precinct in Senate District 2.
22 We tried to keep the numbers so that it would
23 not be confusing to the constituency that we are
24 supposed to be representing. I wanted, at this
25 particular time, to talk about the basic
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1 constitutional and statutory redistricting issues,
 2 one person, one vote.
 3 The Voting Rights Act has two main provisions
 4 and we -- the only district that has been thrown
 5 out of court has been a gerrymandering district,
 6 that is the only district that has been lost and
 7 so we have to make sure that when we draw these
 8 districts that we are not drawing districts for
 9 challenges.

10 This is not, you know, the lawyer's welfare
 11 fund, this is a legislative body and we are
 12 responsible here for doing the business of the
 13 people in trying to get these districts drawn. No
 14 district that we have here does not comply with
 15 the Voting Rights Act, and I would certainly hope
 16 that this body would vote for this plan which
 17 adequately and very legally reapportions this
 18 state.

19 CHAIRMAN WEBSTER: Okay. Senator Holzendorf
 20 having closed on her amendment, if you favor the
 21 amendment signify by saying yea, opposed nay.

22 (Voice vote taken.)

23 CHAIRMAN WEBSTER: It's defeated.

24 Two people are requesting, I assume, to have
 25 a roll call vote and we will recognize that. The

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1 clear the machine and start all over. The
 2 Secretary will call the roll. We are voting on
 3 Senator Holzendorf's amendment, S0019, on Tab 4.

4 THE SECRETARY: Senator Brown-Waite.

5 SENATOR BROWN-WAITE: No.

6 THE SECRETARY: Senator Campbell.

7 SENATOR CAMPBELL: Yes.

8 THE SECRETARY: Senator Campbell?

9 SENATOR CAMPBELL: I said yes.

10 THE SECRETARY: Senator Carlton.

11 SENATOR CARLTON: No.

12 THE SECRETARY: Senator Constantine.

13 SENATOR CONSTANTINE: No.

14 THE SECRETARY: Senator Cowin.

15 SENATOR COWIN: No.

16 THE SECRETARY: Senator Crist.

17 SENATOR CRIST: No.

18 THE SECRETARY: Senator Dawson. Senator Diaz
 19 de la Portilla.

20 SENATOR DIAZ de la PORTILLA: No.

21 THE SECRETARY: Senator Dyer.

22 SENATOR DYER: Yes.

23 THE SECRETARY: Senator Garcia.

24 SENATOR GARCIA: No.

25 THE SECRETARY: Senator Geller.

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1 Secretary will call the roll.

2 THE SECRETARY: Senator Brown-Waite.

3 SENATOR BROWN-WAITE: No.

4 THE SECRETARY: Senator Campbell.

5 SENATOR CAMPBELL: Yes.

6 THE SECRETARY: Senator Carlton.

7 SENATOR CARLTON: No.

8 THE SECRETARY: Senator Constantine.

9 SENATOR CONSTANTINE: No.

10 THE SECRETARY: Senator Cowin.

11 SENATOR COWIN: No.

12 THE SECRETARY: Senator Crist.

13 SENATOR CRIST: No.

14 THE SECRETARY: Senator Dawson. Senator Diaz
 15 de la Portilla.

16 SENATOR DIAZ de la PORTILLA: No.

17 THE SECRETARY: Senator Dyer.

18 SENATOR DYER: Yes.

19 THE SECRETARY: Senator Garcia.

20 SENATOR GARCIA: No.

21 THE SECRETARY: Senator Geller.

22 SENATOR GELLER: No.

23 THE SECRETARY: Senator Holzendorf.

24 SENATOR HOLZENDORF: Yes.

25 CHAIRMAN WEBSTER: Okay. We are going to

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1 SENATOR GELLER: No.

2 THE SECRETARY: Senator Holzendorf.

3 SENATOR HOLZENDORF: Yes.

4 THE SECRETARY: Senator Jones.

5 SENATOR JONES: Yes.

6 THE SECRETARY: Senator King.

7 SENATOR KING: No.

8 THE SECRETARY: Senator Klein.

9 SENATOR KLEIN: Yes.

10 THE SECRETARY: Senator Latvala.

11 SENATOR LATVALA: No.

12 THE SECRETARY: Senator Laurent.

13 SENATOR LAURENT: No.

14 THE SECRETARY: Senator Lawson.

15 SENATOR LAWSON: Yes.

16 THE SECRETARY: Senator Lee.

17 SENATOR LEE: No.

18 THE SECRETARY: Senator Meek.

19 SENATOR MEEK: Yes.

20 THE SECRETARY: Senator Miller.

21 SENATOR MILLER: Yes.

22 THE SECRETARY: Senator Peaden.

23 SENATOR PEADEN: No.

24 THE SECRETARY: Senator Posey.

25 SENATOR POSEY: No.

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1 THE SECRETARY: Senator Pruitt.
 2 SENATOR PRUITT: No.
 3 THE SECRETARY: Senator Sanderson.
 4 SENATOR SANDERSON: No.
 5 THE SECRETARY: Senator Saunders.
 6 SENATOR SAUNDERS: No.
 7 THE SECRETARY: Senator Sebesta. Senator
 8 Silver.
 9 SENATOR SILVER: Yes.
 10 THE SECRETARY: Senator Smith.
 11 SENATOR SMITH: Yes.
 12 THE SECRETARY: Senator Sullivan. Senator
 13 Villalobos.
 14 SENATOR VILLALOBOS: No.
 15 THE SECRETARY: Senator Wasserman Schultz.
 16 SENATOR WASSERMAN-SCHULTZ: Yes.
 17 THE SECRETARY: Senator Webster.
 18 CHAIRMAN WEBSTER: No.
 19 THE SECRETARY: Twelve years, 18 nays.
 20 CHAIRMAN WEBSTER: So, by your vote, the
 21 amendment is defeated. By unanimous consent,
 22 Senator Geller would like to change his vote from
 23 yea to nay on that amendment. Show that done.
 24 (Off-the-record discussion.)
 25 CHAIRMAN WEBSTER: Okay. Members, if you
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1 CHAIRMAN WEBSTER: You are recognized for a
 2 series of questions and a series of answers and
 3 once that series is over -- he yields.
 4 SENATOR SMITH: Senator Laurent, as it is
 5 now, and I'm looking at the map, if you will, at
 6 that area where Senate District 2 intersects with
 7 Senate District 5, and you pointed to that area.
 8 If we could -- thank you.
 9 As I understand it, what you have done by
 10 this map is you have effectively taken the
 11 African-American population in Putnam and Alachua
 12 Counties and kept those in Senate District 2 as
 13 opposed to the earlier map of this committee which
 14 we voted out of subcommittee and which those were
 15 left in -- excuse me, those would have been
 16 included in Senate District 5.
 17 SENATOR LAURENT: I wouldn't characterize it
 18 quite that way. What we did was to follow the
 19 existing footprint of Senate District 2 with some
 20 slight changes, but that's basically the same
 21 footprint. If you look at the dark blue line of
 22 Senate District 2, which was there when you ran
 23 for office and when Ms. Holzendorf ran for office,
 24 that does contain the majority, not all of the
 25 African-American population in Alachua County, but
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1 will turn to Tab 6, we are on S17S0016 by Senator
 2 Laurent. Senator Laurent, you are recognized to
 3 put on your amendment.
 4 SENATOR LAURENT: Thank you, Mr. Chairman.
 5 We have tried to make this a member-driven
 6 process, we've tried to address many of the issues
 7 that the members have as possible. We have tried
 8 to have the communities of interest reflected in
 9 the current maps in the public testimony and the
 10 input from the membership.
 11 We need to attempt to make the maps
 12 constitutional and legal pursuant to the State and
 13 Federal Constitutions and Federal law. We paid
 14 particular concern with the Section 5 counties,
 15 took into account both the Section 2 and Section 5
 16 concerns.
 17 I believe most of the members have had
 18 individual conversations with me in reference to
 19 the map and we have tried to do what we could to
 20 incorporate their concerns. I will be glad to
 21 answer any questions.
 22 CHAIRMAN WEBSTER: Questions? Senator Smith,
 23 you are recognized for a question.
 24 SENATOR SMITH: Thank you, Mr. Chair, for a
 25 series of questions, if I could.
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1 a good portion of the African-American population
 2 in Alachua County.
 3 SENATOR SMITH: Senator Laurent, in the
 4 earlier map that we have voted out of the
 5 subcommittee, which I've referred to as 009, but
 6 I'm not sure that's the correct number, but you
 7 know the map I'm referring to --
 8 SENATOR LAURENT: That's correct.
 9 SENATOR SMITH: -- in that map, you had not
 10 intruded that area from Palatka all the way into
 11 Alachua County. Why did you change it now?
 12 SENATOR LAURENT: The map that we had before
 13 regressed in the African-American population more
 14 than -- and we went to another community, which
 15 was the Daytona area, which was a complete new
 16 population of folks to add to the Senate District
 17 2.
 18 In retro -- in reflecting on it, we decided
 19 to try to maintain the current footprint, the
 20 current communities of interest that had been
 21 established by the current representation of that
 22 district.
 23 SENATOR SMITH: Senator Laurent, you were
 24 present at the Gainesville public hearing on the
 25 proposed maps. Isn't it true that at that
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1 proposed hearing, a number of representatives,
 2 including elected officials from the
 3 African-American community in Alachua County,
 4 stated that they did not wish to continue to be
 5 included in a seat they perceived as being seated
 6 in Duval County rather than Alachua County?
 7 SENATOR LAURENT: I can see that. I think
 8 there was some conflict in that testimony, but
 9 there were a number of African-Americans who did
 10 request that the seat remain in Alachua; however,
 11 the African-Americans in Daytona may not have been
 12 aware that there was going to be an attempt to
 13 move that district from Alachua to Daytona. And
 14 if that were the case, we may well have gotten the
 15 same testimony there.
 16 So, it's -- it is, to some extent, a judgment
 17 call.
 18 SENATOR SMITH: Senator Laurent, in terms of
 19 the Alachua County district -- excuse me, in terms
 20 of the effect of the Putnam/Alachua change here,
 21 can you tell me what percentage of the district
 22 will be African-American if the change that you
 23 have proposed, which is to go back to the old map,
 24 what will be the African-American composition of
 25 Senate District 5?
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1 SENATOR LAURENT: Today, Senate District 5,
 2 that is your district?
 3 SENATOR SMITH: Yes.
 4 SENATOR LAURENT: Okay. Currently in Senate
 5 District 5, 11.8 percent of the district is
 6 African-American. And Senate District 16 -- I
 7 mean, the proposed map, 16, is 13.3 percent, a
 8 slight increase. And in Senator Holzendorf's map,
 9 it was 15 percent.
 10 SENATOR SMITH: Other than an attempt to
 11 following the previous paradigm of that district,
 12 was there any other reason that you decided to, if
 13 you will, bleach, again Senate District 5?
 14 SENATOR LAURENT: I don't know if I would use
 15 that characterization. I mean, that is an
 16 existing district. And an existing minority --
 17 majority/minority district currently is
 18 50.4 percent. That's been court-approved,
 19 approved by the Justice Department, been through
 20 the entire process.
 21 It has an established relationship with an
 22 incumbent minority member who is term limited and
 23 will not be coming back, and that was -- in taking
 24 into account everything else that we looked at,
 25 and in trying to balance all the other conflicting
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1 issues we have to deal with, we tried to stay
 2 within basically the existing footprint as much as
 3 possible of Senate District 2.
 4 SENATOR SMITH: Does the fact that the
 5 incumbent to which you refer has proposed a map in
 6 which the district -- excuse me, in which the
 7 intrusion area there from Putnam to Alachua County
 8 is no longer included? Does that affect your
 9 judgment as to whether or not you now need to come
 10 back into Alachua County to continue that
 11 African-American district all the way from
 12 downtown Duval to northern Gainesville?
 13 SENATOR LAURENT: Well, the district that you
 14 are talking about, from downtown Duval to downtown
 15 Daytona, the previous district that we had drawn
 16 had been attacked at the previous two meetings by
 17 that incumbent.
 18 And whether or not this change -- and by
 19 putting a similar district in her map has a legal
 20 consequence, I am not sure.
 21 SENATOR SMITH: Thank you, Mr. Chairman.
 22 Thank you, Mr. -- Senator Laurent.
 23 CHAIRMAN WEBSTER: Senator Miller, you are
 24 recognized for a question.
 25 SENATOR MILLER: Thank you, Mr. Chairman. I
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1 have some questions of the sponsor. Senator
 2 Laurent, what criteria was used to draw these
 3 maps? For example, what criteria was used to draw
 4 a district from the Atlantic Ocean to the Gulf of
 5 Mexico, and what criteria was used to draw
 6 districts, specifically, District 3, in the map
 7 that goes from the suburb of Tampa all the way up
 8 through Baker and Hamilton Counties?
 9 SENATOR LAURENT: Excuse me, which district
 10 would go from a suburb --
 11 SENATOR MILLER: You have District 3 that
 12 basically runs from the Atlantic Ocean over to the
 13 Gulf of Mexico and that district also runs from a
 14 suburb of the Tampa area, being Citrus County,
 15 that runs all the way up to -- from what I'm
 16 seeing here, it looks like up to Hamilton and
 17 Taylor Counties and Baker County. What was the
 18 rationale, what was the criteria for drawing
 19 districts like those?
 20 SENATOR LAURENT: Okay. The district that
 21 you are referring to is Senate District 3, which
 22 is Senator Mitchell's district. There were no
 23 additional counties added to that district at all.
 24 Nassau County, Baker County, Columbia, Hamilton,
 25 Suwannee, Madison, Leon, Jefferson, Taylor,
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1 Lafayette, Dixie, Gilchrist, Levy, Marion, and
 2 Citrus are contained in this current map.
 3 We, in fact, reduced the number of counties
 4 in that district and made that district somewhat
 5 more compact by giving -- by taking Gilchrist
 6 County out of Senate District 3. It stayed, the
 7 district stayed in Nassau County and stayed in
 8 Citrus County and stayed in Marion County. But
 9 there were no additional counties added to that
 10 Senate district. That's the existing footprint of
 11 that district.
 12 SENATOR MILLER: Follow-up, Mr. Chairman.
 13 CHAIRMAN WEBSTER: You are recognized. Do
 14 you have several questions?
 15 SENATOR MILLER: Well, I have one more, I
 16 believe.
 17 CHAIRMAN WEBSTER: Okay. You are recognized.
 18 SENATOR MILLER: In the criteria that you
 19 utilized and I talked earlier that the public
 20 testimony that was so violently put forth, that we
 21 should have been putting forth in these maps, was
 22 public testimony part of any of your criteria in
 23 justifying the areas that you've drawn in any of
 24 these districts at all?
 25 SENATOR LAURENT: Yes, we tried to take
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1 public testimony into account. Of course, public
 2 testimony was not always consistent, the public
 3 testimony was sometimes conflicted. We also tried
 4 to take in input from the membership and take into
 5 account what we have to do both to comply with
 6 Voting Rights Act, Federal and State
 7 Constitutions, but we did try to take in public
 8 testimony into account as much as possible.
 9 SENATOR MILLER: End of debate. And we're
 10 done, Mr. Chairman.
 11 CHAIRMAN WEBSTER: Further questions?
 12 SENATOR HOLZENDORF: Yes, I have a question.
 13 CHAIRMAN WEBSTER: Senator Holzendorf, you
 14 are recognized.
 15 SENATOR HOLZENDORF: Senator Laurent, I want
 16 to get a more -- clearer understanding of why in
 17 the map 009 where the district went from Duval
 18 County to Volusia County, that it was changed to
 19 0016 and what is more common about going the route
 20 that you are going than going in the direction of
 21 Volusia County? I mean, what changed your mind?
 22 CHAIRMAN WEBSTER: Senator Laurent, you are
 23 recognized for a response.
 24 SENATOR LAURENT: One is I had significant
 25 input from Volusia County. Volusia County didn't
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1 like being split in as many districts as it was.
 2 Daytona itself was split into three districts, I
 3 believe. That was expressed considerably. That
 4 district, you personally criticized that district
 5 at our first two meetings, questioned about the
 6 fact that it regressed from the current numbers
 7 and there was not any significant input that I got
 8 from Daytona -- I mean, that -- we just took all
 9 of those factors into consideration when we went
 10 back to, to basically your existing footprints
 11 where you currently are representing the votes in
 12 Alachua.
 13 SENATOR HOLZENDORF: Follow-up, Mr. Chairman.
 14 CHAIRMAN WEBSTER: You are recognized for
 15 follow-up.
 16 SENATOR HOLZENDORF: Senator Laurent, in the
 17 Putnam County area where the district crosses over
 18 into Alachua County, you split that small county
 19 in half and one of the concerns that they were
 20 having was because of the way that split is as you
 21 go through there to get into Alachua County.
 22 So, the reason that we did the change in the
 23 district was because of the fact that you were
 24 splitting a county in half. The people in Daytona
 25 that would have been put into the district were
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1 very open and very acceptable to that.
 2 I don't know if you were talking to people
 3 that were not going to be in the district or
 4 whether you were talking to people who were going
 5 to be in the district as split or for the 8th
 6 District, but those people that were going to be
 7 in Senate District 2 are currently in
 8 Congressional District 3 and represented there.
 9 And so, those people in that particular area were
 10 very open to that, the map in that way.
 11 Now, the people that were on the beaches were
 12 not, but then the district didn't go that way.
 13 So, I guess I'm concerned that you would follow a
 14 footprint that has been challenged in court and
 15 lost rather than us using this opportunity to
 16 straighten out the district at the request of some
 17 of us who have been through that process.
 18 CHAIRMAN WEBSTER: Senator Laurent.
 19 SENATOR LAURENT: I'm not sure what the
 20 response -- I mean, the -- we went through Putnam
 21 County. Putnam County is, you know, both the
 22 northern/southern part of Senate District 2 -- are
 23 represented by the same Senator that represents
 24 Alachua.
 25 This plan has been in existence since '92,
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1 and then when it was challenged in '96. It has
2 gone to the Florida Supreme Court, it has been in
3 the Federal court process, and it is a plan that
4 as a district, apparently, has worked and had very
5 good judgment to electorate.

6 SENATOR HOLZENDORF: Mr. Chairman.

7 CHAIRMAN WEBSTER: Senator Holzendorf.

8 SENATOR HOLZENDORF: In this plan, you have
9 to go through Hastings, Miccanopy, Hawthorne
10 before you can get into Gainesville, Alachua
11 County, and it appears that the expansion is to
12 take you to the county line of Marion County.

13 Now, that is not how you draw a district
14 because to get to Alachua County where the bulk of
15 the African-American population is, you have got
16 to go through Hastings, Miccanopy and Hawthorne
17 and you are going through rural, farm country to
18 get there.

19 And the only person, the only reason you take
20 that route is to tie those communities because
21 there's nothing in common on that road. The same
22 thing that you would be doing down in the central
23 Florida area. So, I think the map is
24 unacceptable.

25 CHAIRMAN WEBSTER: Senator Meek, you are
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1 recognized.

2 SENATOR MEEK: Thank you, Mr. Chairman. If
3 Chairman Laurent would just yield for a question,
4 I wanted to ask him a question about the
5 deviation. As you know, I have been talking about
6 deviation for some time now. I noticed he was
7 talking about Senate District 21 and some of the
8 other districts as -- especially as we start
9 looking at some of these more urban areas.

10 On a scale from one to ten, because I think
11 it would be fair -- I think there's been case law
12 that would accept a legislative district's
13 10 percent deviation. How much deviation did you
14 use, with the highest level of deviation, on any
15 one of these 40 districts?

16 SENATOR LAURENT: Basically, zero percent
17 deviation. The total from the deviation is 64
18 persons from above to below.

19 SENATOR MEEK: Excuse me, I didn't hear that
20 last ending.

21 SENATOR LAURENT: The range of population,
22 the total deviation from target, is 64 persons.

23 CHAIRMAN WEBSTER: Okay.

24 SENATOR MEEK: Thank you, Mr. Chairman.
25 Mr. Chair, one more question. I mean, you can use
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1 up to 10 percent, is -- would you believe?

2 SENATOR LAURENT: That is an issue that I
3 don't think is well settled. And the Attorney
4 General in the information that they provided us
5 said what he considered to be the most important
6 issue is a lack of deviation and one man, one
7 vote.

8 CHAIRMAN WEBSTER: Senator Jones, you are
9 recognized for a question.

10 SENATOR JONES: Thank you, Mr. Chairman. I
11 have got two areas that I want to deal with in my
12 questions.

13 Senator Laurent, in Senate District 39, which
14 essentially, I guess, is the area that I currently
15 represent, although there's some significant
16 changes to it, there's -- the district right now
17 includes Monroe and parts of Dade County.

18 The district here also includes parts of
19 Collier, Hendry, Broward as well. And I can tell
20 you, with U.S. 1 going through Monroe County and
21 largely being a two-lane road, it takes me from
22 Key West to the northernmost part of my district
23 about four hours to drive from one end to the
24 next. And it's -- albeit, I know I'm term limited
25 and I won't be representing this district in the
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1 future, I'm thinking about the next Senator.

2 The district had the honor of being the
3 longest district in the state. Senator Mitchell
4 had the honor of having the one with the largest
5 land mass. I think that Senate District 39 now
6 carries both honors under this plan.

7 And I would say that based on the kinds of
8 roads that you would have to drive on to get from
9 one end of the district to the other, that while I
10 can drive from south Dade County to Tallahassee in
11 six and a half hours on the tumpike and
12 interstate, driving from one end of the district
13 of this map to the other end would take me almost
14 as long, I would estimate between five and a half
15 to six hours to do that.

16 It's going to be real difficult for a State
17 Senator to represent such an expansive district in
18 an adequate manner and to make sure that he or she
19 has an opportunity to do that in a substantive
20 way, and I was just wondering what was the
21 rationale behind creating such a wide, expansive
22 district like that when there were other
23 opportunities that were available in some of the
24 other maps to make them a little more compact.

25 SENATOR LAURENT: Lennie, how about doing a
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1 click-out on that map? If it makes you feel any
2 better, this district here is mine. And in
3 geographic area, that's probably very close to
4 this district here.

5 Unfortunately, in this area of the state,
6 these interior counties have very few people.
7 This, in Broward County, has zero population. I
8 mean, absolutely zero. There's not one person who
9 lives in that part of Broward County. That's part
10 of the Everglades.

11 One of the -- I'm sorry, maybe one of the --
12 this district does include Hendry, Collier and
13 Monroe, which are all three Voting Rights'
14 counties, make sure that they are very similar to
15 the population of the existing district that they
16 are in, and that's what we have done.

17 SENATOR JONES: Mr. Chairman. Well, I just
18 wanted to register that concern because that is a
19 little different than the map that I originally
20 saw.

21 SENATOR LAURENT: Excuse me.

22 SENATOR JONES: I just wanted to register
23 that concern because that is a little different
24 than the map that I originally saw there.

25 SENATOR LAURENT: Thank you.

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1 SENATOR JONES: And also, while we are at it,
2 in the southwest part of Florida, I know we are
3 trying to take into account as one of our criteria
4 public testimony. And as I look at southwest
5 Florida and Lee and Collier Counties, I recall
6 that there were people who wanted to -- when we
7 were in Key Largo having our public testimony,
8 there were people who did want to be connected to
9 Collier County, but then there were people who
10 didn't want to be connected to Collier County as
11 well.

12 And certainly the people from Collier County
13 and Lee County said conclusively that they wanted
14 to be in as few districts as possible, you know,
15 one or two districts at the most. Of course, Lee
16 County having the population that it does, you
17 have to go with more than one, but certainly, we
18 had significant testimony that on the southwest
19 part of the state, that they did not want to be
20 linked over the eastern side of the state with
21 Dade County and that they wanted to have their own
22 representation coming from their own area.

23 And I was just wondering, did you take into
24 account at all that public testimony?

25 SENATOR LAURENT: Senator Jones, I apologize.

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1 Halfway through that, somebody started talking to
2 me and I missed the last part of that comment.

3 SENATOR JONES: I wondered if you took into
4 account the public testimony from the people from
5 Lee and Collier Counties as to whether or not when
6 they said that they wanted to have their
7 particular counties remain in compact districts on
8 the west -- southwestern side of the state and not
9 be linked over into the southeastern part of the
10 state of Dade County.

11 SENATOR LAURENT: To be honest with you, one
12 of my primary goals in this reapportionment
13 process was not to have one of these
14 coast-to-coast districts. The current map has
15 two. We were able to get that down to one, but we
16 were not able to figure out a way to take in all
17 the factors that we had to weigh and not do that
18 district.

19 It's not one that I really wanted to, to be
20 frank with you, wanted to draw.

21 CHAIRMAN WEBSTER: Further questions?

22 SENATOR JONES: Thank you, Mr. Chairman.

23 CHAIRMAN WEBSTER: Senator Dyer, you are
24 recognized for a question.

25 SENATOR DYER: Thank you, Mr. Chairman.

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1 Question for Senator Laurent. Senator Laurent,
2 I'm interested in what's now labeled District 19,
3 which I think is now remnants of my District 14.

4 And central Florida is growing largely in its
5 Hispanic population, and I was looking at how on
6 this map, we have treated southeast Florida with
7 regard to minority representation within the
8 African-American community and the Hispanic
9 community, and then I'm looking at central Florida
10 to see what we are doing, and it seems like we are
11 doing something drastically different in the two
12 regions.

13 In southeast Florida, we are creating
14 districts that can rep -- that can elect an
15 African-American or have influence in doing so,
16 and then we are creating separate districts that
17 can elect Hispanics.

18 In our area, in central Florida, my current
19 district is 56 percent white, 28 percent
20 African-American and 7 percent Hispanic. The new
21 numbers under this map would be 45 percent white,
22 25 percent African-American and 20 percent
23 Hispanic.

24 Senator Constantine's district, and Senator
25 Webster's district, both would diminish the

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1 Hispanic influence in their seats. The
2 African-American influence in my seat would be
3 diminished and the Hispanic population would be
4 tripled.
5 And it seems as though we are packing
6 African-Americans and Hispanics into one seat in
7 Orange County, whereas in southeast Florida, we
8 are trying to make districts where we can elect
9 both African-Americans and Hispanics.
10 So, what I was wondering is, can you tell me
11 what the thought process is, and why we are
12 treating central Florida and that Hispanic
13 population different than what we are doing down
14 in southeast Florida?
15 CHAIRMAN WEBSTER: Senator Laurent.
16 SENATOR LAURENT: Thank you, Mr. Chairman.
17 What we have done is in central Florida, the
18 Hispanics are not predominantly Republican
19 Hispanics. That district does not simply reflect
20 African-Americans and Hispanics, that also
21 reflects the, some of the existing districts
22 around, the incumbents around, and the voting
23 characteristics of that district.
24 It's not -- normally, if you are creating a
25 minority -- and that was characterized in 1992 as
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1 a minority access seat, even though in 1992, it
2 did not elect a minority. It was characterized in
3 the submission to the State Supreme Court as a
4 minority access seat.
5 If you have dual minorities, you have to look
6 to see if those dual minorities vote together as a
7 voting block or do they vote in a disparate
8 manner. That district votes pretty much as a --
9 as a voting block. There are not enough, in my
10 opinion, Hispanics to create a separate seat in
11 central Florida.
12 Your district, I'm using my numbers, your
13 current district is 12.9 percent Hispanic with
14 37,000 people. This district is 25 percent
15 Hispanic, but it's still 72,000 people. I'm not
16 sure if there's another community where you could
17 create a coherent voting block to create a
18 separate Hispanic seat.
19 SENATOR DYER: For follow-up then,
20 Mr. Chairman.
21 CHAIRMAN WEBSTER: You are recognized.
22 SENATOR DYER: And you may have answered it
23 in the last statement but I'm just not positive.
24 Did you look at creating then a separate Hispanic
25 access seat, separate and apart from 19 -- leaving
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1 19 constituted largely as it was, and then, within
2 one of the other localized seats, making it a
3 Hispanic access seat?
4 CHAIRMAN WEBSTER: Senator Laurent.
5 SENATOR LAURENT: I believe one of the
6 problems, and I don't have the figure right in
7 front of me, your seat was considerably down in
8 population, and we had to pick up a significant
9 amount of population to keep -- to get your
10 district to 399. And I do not have that number
11 right in front of me.
12 I believe that's around 50,000 folks, so we
13 had to add 50,000 folks to your district taking
14 into account that you did have Senator Webster on
15 the western portion of your district, Senator
16 Constantine on the northeastern part of the
17 district.
18 And it did not -- we looked at a lot of
19 different possibilities. The lines that we wound
20 up with, you know, I dreamed about these maps in
21 my sleep, so this is what we wound up with, and I
22 don't remember all of the various scenarios that
23 we looked at, but we looked at a number of
24 different scenarios in central Florida and this is
25 our best shot to balance all of the competing
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1 factors we have to look at.
2 SENATOR DYER: Mr. Chairman, just for the
3 record, the deviation in my district was 7,717, so
4 it wasn't that far off, and this map certainly
5 looks a little more squiggly than some of the
6 other versions that I have seen.
7 SENATOR KLEIN: Mr. Chairman.
8 CHAIRMAN WEBSTER: Yes, Senator Klein for
9 questioning.
10 SENATOR KLEIN: Thank you, Mr. Chairman. I
11 would like to focus on southeast Florida, if I
12 could, and maybe start out with District 34. If
13 you can go a little closer, please. Okay.
14 In the northern part of the district, those
15 are condominiums and a lot of seniors and
16 families, all urban area, but then it goes all the
17 way down to connect to Florida City, which is
18 mostly agriculture -- agricultural.
19 I was just trying to figure out what are the
20 links in terms of communities of interests that
21 are established by that sort of elongated
22 district.
23 SENATOR LAURENT: This district?
24 SENATOR KLEIN: Yes.
25 CHAIRMAN WEBSTER: Senator Laurent to
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1 respond.

2 SENATOR LAURENT: Thank you, Mr. Chairman.

3 You mean the district that's running right here?

4 SENATOR KLEIN: Yes. If you go to the top of

5 the district, Senator Laurent, it's all Broward,

6 urban, condominiums and, you know, largely densely

7 populated urban areas, but then it dips down into

8 the southern end of Miami-Dade County there where

9 it's Florida City, and I'm just trying to --

10 Florida City is all agriculture pretty much.

11 I'm just trying to establish, what were the

12 principles or thought processes used to create a

13 community of interest between the two disparate

14 parts of that district?

15 SENATOR LAURENT: The existing district comes

16 into Dade County and, again, I don't have the

17 figures right off of the top of my head, but I

18 believe it has over 90,000 folks in Dade County.

19 This district still has about the same

20 approximate number of folks in Dade County. The

21 current District 34, even though it's never been

22 represented by a minority is right at -- it has a

23 less than 50 percent Anglo population. This

24 district pretty much mirrors that composition of

25 the district.

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1 It's based in the same area and the majority

2 of the population is around 300,000 folks here and

3 100,000 down here, that's basically what you have

4 in the current district. And I know a lot of the

5 folks in southeast Florida are used to very small,

6 compact districts, but that looks like to me in my

7 neck of the woods to be a very compact district.

8 SENATOR KLEIN: Mr. Chairman, for follow-up.

9 Senator Laurent, I think what I was asking about

10 was the southern end of the Miami-Dade part there,

11 that's pretty much agricultural. I realize the

12 90,000 may be around the same number as the

13 previous district, but it clearly extends much

14 farther down into Miami-Dade County, into an area

15 that's just a totally different type of community

16 based on agricultural reservant.

17 So, my specific question was how do we

18 connect, what was the link that connects the

19 southern end of that district to the urban area of

20 the rest of the district.

21 SENATOR LAURENT: There is some agricultural

22 interest in this area. I mean, we could have --

23 you know, this current district, not this

24 district, but the one adjacent to it, goes out and

25 picks up Collier County, Hendry County, and Lee

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1 County.

2 One of the scenarios we had was to take this

3 district out to Collier County and Hendry County,

4 but by doing this -- by not doing that, we made

5 this district a lot more compact. It keeps the

6 same character of the district from the standpoint

7 of population, but we drew some of these core

8 districts, if you start on the coast and then go

9 south, and you start drawing districts, you reach

10 a point where you've got folks and you've got --

11 and those folks have to go somewhere.

12 SENATOR KLEIN: Mr. Chairman, to follow up.

13 CHAIRMAN WEBSTER: Senator Klein.

14 SENATOR KLEIN: Thank you. Senator Laurent,

15 I guess, my point, just maybe for the record, in

16 terms of compactness, the current district which

17 this replaces is an all urban district that

18 includes 90,000 in Miami-Dade, but it's the

19 northern part which is all urban, Broward and Dade

20 are all urban.

21 The southern part which is a little more

22 spread out, a lot more spread out, is agriculture.

23 I was just trying to understand what the

24 differences were.

25 The other questions I have relate to parts of

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1 Palm Beach County, Mr. Chairman. And if we can

2 bring up District 30, please. If we take a look

3 at District 30, Senator Laurent, that is the light

4 blue area and, again, this is my district, and the

5 base of my district is in the southern end, we

6 obviously have -- this is a part of Palm Beach

7 County that is near the coast, it's very densely

8 populated. But at the same time, the lines are

9 extremely unusual, to say the least, in terms of

10 the way the communities were drawn in and drawn

11 out there.

12 As a matter of fact, I think it would be very

13 difficult for someone who lives in the northern

14 part of that district to know who they are

15 represented by someone in District 27, which is

16 the pink or someone in District 30, which is the

17 blue.

18 So, again, I have concerns just in terms of

19 compactness, that doesn't seem very compact. Can

20 you tell me what the thinking was in drawing the

21 district that way?

22 CHAIRMAN WEBSTER: Senator Laurent.

23 SENATOR LAURENT: I mean, this is an existing

24 district that's been there for ten years, we've

25 basically kept that same footprint. This district

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1 adjacent to it is certainly a lot more compact
2 than the existing district. I think the
3 communities of interest represented in those
4 districts are very similar and, again, I mean, you
5 basically have a district in one county. Senator
6 Mitchell has 15 counties, I have eight counties.
7 And -- but trying to meet everything that we
8 are trying to do, that -- I do not consider that
9 not to be a compact district.
10 SENATOR KLEIN: Mr. Chairman, follow-up.
11 CHAIRMAN WEBSTER: Recognized for follow-up.
12 SENATOR KLEIN: Thank you. Senator Laurent,
13 the district that is adjacent to the District 30,
14 the blue district, is a minority seat and I don't
15 have any problem in terms of the drawing, I think
16 that's pretty much identical to the way it was
17 before.
18 My concern is the lack of compactness for the
19 top half of District 30. I don't think that under
20 any definition of common sense, anybody could say
21 that's compact. It's in and out, it looks like
22 it's drawn around lots of different things, and
23 there may be some communities of interest, I'm not
24 sure exactly who lives in these areas, but
25 certainly from a compactness point of view, even
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1 if it is in -- by the way, it's two counties, it's
2 Broward and Palm Beach Counties.
3 But the section I'm talking about is in the
4 Palm Beach County part. I think that could be
5 more easily managed by taking the existing
6 district, which is mine, and just squaring it off
7 when you hit the population as opposed as these
8 unusual configurations which look like they were
9 drawn around communities or around some other
10 factors, which I'm not sure what they are. So, I
11 would disagree that by the definition that is
12 compact.
13 The only other comment I have, Mr. Chairman,
14 is District -- and, again, this relates to Palm
15 Beach County, but also a number of other counties,
16 District 27. This district runs from Palm Beach
17 County all the way across the state and I guess it
18 has Charlotte, Lee, Glades, Palm Beach, and
19 Collier.
20 Again, I think, the testimony that I heard in
21 both west Palm Beach and Delray Beach, which are
22 the two places in Palm Beach County we had public
23 testimony, as well as the testimony I heard on the
24 west coast in Collier and the west coast hearings
25 was, Please keep our communities together, do not
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1 have cross-county, the cross-state districts.
2 And a mistake of ten years ago, if that's
3 what it was, is certainly not a justification for
4 doing this again. Certainly, on behalf of Palm
5 Beach County, we felt like three resident Senators
6 could be living in Palm Beach County, at least
7 three, since Broward has five and Miami-Dade has
8 six.
9 This really does divide up a district, takes
10 it all the way across and, again, I would ask the
11 question about communities of interest, how do we
12 justify the communities of interest of west Palm
13 Beach to the lake area, which is agricultural, to
14 the west coast area, which has, you know,
15 different interests than the east coast.
16 CHAIRMAN WEBSTER: Senator Laurent to
17 respond.
18 SENATOR LAURENT: If I might address the
19 President. Of course -- Mr. Chairman, I'm sorry.
20 From the eastern part of the district to the lake,
21 of course, you are in the same county. I mean,
22 that's not a big stretch.
23 The lake, these areas along the coast are
24 absolutely dependent upon what happens on that
25 lake. There is a, you can make a compelling
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1 argument that there's some community of interest
2 there. In fact, I do not like the idea that we
3 have to go all the way to the west coast and one
4 of my prime goals was not to do that, but I have
5 not been able to draw a map that dealt with all
6 the competing interests that we had to deal with
7 that did not do that.
8 But this area of the state also depends on
9 the lake. If you look at the Loxahatchee that
10 comes out of here into Lee County, you look at --
11 that supplies water supply to Lee County, it
12 supplies water supply to Palm Beach and Broward
13 Counties, so the lake is an integral part of that
14 district in both sides of the state.
15 SENATOR KLEIN: For follow-up, Mr. Chairman.
16 CHAIRMAN WEBSTER: Recognized for follow-up.
17 SENATOR KLEIN: Thank you, Mr. Chairman.
18 Senator Laurent, I would agree that attaching an
19 agricultural area to west Palm Beach or the Palm
20 Beach County area makes sense. As a matter of
21 fact, the whole area that you mentioned there,
22 which is the Palm Beach County section, which
23 squares off in the lower corner there and takes it
24 up the lake includes Belle Glade and South Bay,
25 Pahokee. If you go over to the Hendry County,
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1 you've got some other -- Clewiston. You've got a
2 lot of common agricultural interests.

3 So, I don't necessarily have a problem in
4 connecting some of those communities, but I think
5 to take it all the way over to the west coast into
6 Lee County and Charlotte County there just doesn't
7 make a lot of sense.

8 I think you'll always -- you'll never have
9 enough of an agricultural number of counties
10 together to make up a 400,000-person district, I
11 understand that, which means that we will have to
12 connect it to one side or the other, but the Palm
13 Beach County side is a very large -- we have one
14 of the largest winter vegetable crops and
15 agricultural systems in the whole state, so to
16 attach some agriculture to that is fine. I guess
17 my bigger problem is not making this more Palm
18 Beach County and maybe some surrounding counties
19 around the lake and less Charlotte and Lee.

20 Any reason why we didn't sort of work around
21 your idea, which I agree with, and tie directly to
22 the water interests around Lake Okeechobee?

23 SENATOR LAURENT: Senator Klein, one of the
24 primary goals that you expressed at our initial
25 meetings was to see that you had resident Senators
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1 just be the suggestion of taking the Palm Beach
2 County section, broadening that out with some
3 additional population, and then moving it around
4 Martin County, if you do want to go into Hendry
5 County and St. Lucie and Okeechobee. But that
6 would be the suggestion I would make. Thank you
7 for your time and I appreciate the response.

8 CHAIRMAN WEBSTER: Further questions? Okay.
9 We do have some people that would like to speak on
10 map 16, and so we will -- in Senate rules, if
11 there's been testimony in the subcommittee and a
12 bill is passed favorably, it takes a two-thirds'
13 vote in order to take public testimony. Would
14 somebody like to make that motion? Made by
15 Senator Smith. Anybody object to the motion of
16 taking public testimony?

17 Show that adopted without objection. We have
18 Clyde Payne, you are recognized.

19 MR. PAYNE: My comments will be very, very
20 brief and I know that you will like that. I feel
21 that this plan doesn't meet the criteria or the
22 description that areas should be of common
23 interests and common goals. This is particularly
24 true of the Citrus area that is an area that is
25 completely different than the agricultural area
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1 in Palm Beach County. This plan gives you a shot
2 to have three resident Senators in Palm Beach
3 County. That's what you said you wanted, that was
4 the testimony from the folks from Palm Beach.

5 To do that, to meet our obligations under
6 Section 2 and Section 5 of the Voting Rights Act,
7 to look at the minority districts that impact Palm
8 Beach County that we have to look at, to look at
9 the incumbent Senators who currently have portions
10 of Palm Beach County and who are not residential
11 Senators of Palm Beach County.

12 For you to have three seats in Palm Beach
13 County, you have to pick up some additional
14 population. I wish there was a different way of
15 doing it, but this was the best we were able to
16 come up with.

17 I guess to close, Mr. Chairman, I guess the
18 only thing I would have -- I would ask is that --

19 CHAIRMAN WEBSTER: Senator Klein, are you
20 asking a question or are you on debate or --

21 SENATOR KLEIN: No, this isn't just debate,
22 this is just the last comment to respond to
23 Senator Laurent.

24 CHAIRMAN WEBSTER: All right.

25 SENATOR KLEIN: Just the last thought would
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1 mostly in -- this is District 3, if I didn't say
2 that.

3 And we would like to see, and I would like to
4 recommend to you that you do whatever it takes to
5 make District 3 more alike, more with the same
6 common interests, more rural and not put the city
7 folks in with it too much. Thank you.

8 CHAIRMAN WEBSTER: Next we have Michael
9 Williams. Are you a country folk or a city folk?

10 MR. WILLIAMS: No, actually, I'm a country
11 folk too. I'm here representing my Board of
12 County Commissioners from Hamilton County, Florida
13 and our concern is, again, the communities of
14 interest issue.

15 In Senate District 3 there, our concern is
16 that we are basically small counties with
17 agriculture. We have a need for economic
18 development and infrastructure and have some very
19 unique issues to the underpopulated portion of
20 Florida.

21 Our day is coming, but we are concerned
22 because of the fact that we have a large block of
23 Citrus and maybe to some extent, Marion County or
24 something up there, and those folks don't share a
25 common interest with us.

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1 We would prefer to see more of the small,
 2 rural counties lumped together, even though that
 3 means that it would make a more spread-out
 4 district in the Panhandle, but we would have much
 5 more commonality as far as our interests, our
 6 needs and our goals, and it would serve the people
 7 a lot better that way, and we would ask you to
 8 consider that.

9 CHAIRMAN WEBSTER: Thank you for appearing.
 10 Richard Tillis.

11 MR. TILLIS: Mr. Chairman, distinguished
 12 members of the committee, I come to you today not
 13 as a Republican and not as a Democrat but as a
 14 rural citizen of Florida.

15 I live in Lake Butler and I'm here
 16 representing the City Commission of Lake Butler
 17 primarily, but people in general that live in
 18 rural Florida.

19 About three years ago, I had the opportunity
 20 to do my master's thesis and I have always been
 21 interested in small-town life and rural
 22 development and I did that thesis on economic
 23 development in rural America and the problems that
 24 it has faced since the inception of the fast mode
 25 of transportation that we have today.

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1 And there are specific problems that lie in
 2 the less populated areas than you find in the
 3 urban and the metro areas. Many times, and very
 4 often, those strategies for growth and development
 5 are very conflicting. Take, for example, Union
 6 County and Bradford County, which are primarily
 7 rural.

8 If we are grouped in -- and, of course, no
 9 offense to Senator Smith, who we have known for
 10 some time and we appreciate, because right now we
 11 are represented by two Senators and that is a real
 12 plus for us as a small county, but we do not have
 13 a lot of common commonalities with the metro urban
 14 area of Alachua nearly so much as we do the many
 15 rural areas that are around us.

16 And in regard to Senator Laurent's comments
 17 just a few moments ago about the changes to
 18 District 3 remaining the footprint, remaining
 19 basically the same with the same counties, I would
 20 just make one observation. Citrus County, the
 21 population of Citrus County in the proposed map,
 22 increases by almost 100 percent, from 55,000 to
 23 and 108,000.

24 The population of 16,000 in Alachua goes
 25 completely away, the population of Bradford and

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1 Union goes completely away. Jefferson is reduced
 2 by half. The population in Leon is reduced by
 3 half, the population in Nassau is reduced by a
 4 third, the population of Marion increases by about
 5 50 percent.

6 So, we can see that the lower portion where
 7 the more urban, high growth areas are, with a
 8 completely different set of problems and
 9 difficulties facing them becomes a major factor in
 10 this proposed change in the district.

11 In conclusion, I would like to share with you
 12 just some comments that my board had asked and
 13 each and every one of them signed this. And I
 14 would like to just read it so that you can
 15 understand even more so their obligations.

16 And they address this to Senator Webster,
 17 the Chairman, and the distinguished members of the
 18 committee, "The City Commission of the City of
 19 Lake Butler would like to take this opportunity to
 20 share with you our thoughts relative to the impact
 21 of redistricting on rural Florida.

22 "As a rural community, we are obviously
 23 concerned about the needs of rural Florida not
 24 only being met but being well represented in the
 25 new scheme of legislative representation.

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1 Senators Richard Mitchell and Rod Smith currently
 2 represent our county.

3 "As a governing body, we are fully aware of
 4 the gravity of the responsibility that you have
 5 before you to align populations with minimal
 6 deviations by districts to the state average
 7 target populations from each district throughout
 8 this great state.

9 "We are also very much aware that each of you
 10 understands there's obviously more to consider
 11 than just distribution of statistical numbers of
 12 populous in order that specific vote patterns
 13 might be achieved. Those areas with commonality
 14 must be considered. Those areas with similar
 15 needs and similar problems must, of necessity, be
 16 given reasonable consideration in this
 17 decision-making process in order that consistent,
 18 effective representation of areas results from
 19 this process.

20 "This is true whether it is an urban, a
 21 metropolitan or a rural area of Florida. On the
 22 other hand, rural communities of Florida are not
 23 dissimilar of one another in need and economic
 24 difficulty. In the current plan represented by
 25 Senator Mitchell, it's composed almost entirely of

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1 rural counties, even those portions of Marion.
 2 Much of the portions of Marion, Alachua are also
 3 the rural portions.
 4 "The needs of the populous in this district
 5 are very similar, whether needs are found in
 6 Suwannee, Hamilton, Dixie, Taylor, Union or the
 7 rural areas of Alachua. Their road problems,
 8 their need for sound economic development
 9 practices for rural developments, the lack of
 10 adequate housing, the infrastructure needs,
 11 drainage difficulties, agricultural and farming
 12 needs and the problems confronting maintenance of
 13 rural health care or education are all very
 14 similar in town after town, it matters not which
 15 one you go to.
 16 "Consideration must be given to provide these
 17 areas, whether in north Florida or the central
 18 portion of the state in southern Florida with
 19 representation by individuals whose efforts are
 20 not forcibly divided by those voters located
 21 between the high growth metropolitan areas and the
 22 surrounding slower-growing rural areas.
 23 "These communities face entirely different
 24 sets of needs and problems and quite often require
 25 conflicting strategies to resolve those
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1 differences and to resolve them effectively. Such
 2 a combination of these populations in unequal
 3 proportions makes for inefficient representation
 4 and unnecessary conflict in the governing process.
 5 "Resolving such issues lies in your capable
 6 hands. Within the last few days, you have
 7 received a number of maps that do address some of
 8 these very issues, some of which you even talked
 9 about today. We don't feel that map 16 does this
 10 adequately.
 11 "As a commission, we encourage you to
 12 maintain this representation of District 3's rural
 13 population base collectively as close to its
 14 current form as possible in order to continue to
 15 ensure effective representation of this important
 16 part of Florida throughout the next decade.
 17 "We commend you for your work, we ask your
 18 consideration of these suggestions as you proceed
 19 with your development of a new district plan for
 20 our state."
 21 And if I may, and if it's appropriate,
 22 Mr. Chairman, I would like to leave this as part
 23 of the record.
 24 CHAIRMAN WEBSTER: That would be fine if you
 25 want to leave it right there. Thank you for
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1 appearing, I appreciate it. Dale Boatwright.
 2 MR. BOATWRIGHT: Good afternoon, Mr.
 3 Chairman, and members of the committee. I am the
 4 Clerk of Court from Jefferson County, population
 5 12,902. So, I don't think I'm one of those city
 6 folks.
 7 I would like to make a few comments regarding
 8 the map, and especially regarding Senate District
 9 3. Again, my concerns are the same as those
 10 previously stated, that the inclusion of the area
 11 of Marion and Citrus Counties is totally
 12 dissimilar to the rest of the district in that we
 13 are rural, our needs are totally different in
 14 those rural agricultural areas than they are in
 15 the more populous areas.
 16 And even though Jefferson County is a small
 17 county population-wise, we deserve proper
 18 representation. With the population division that
 19 would be in District 3 at this point, over
 20 50 percent of the population is within the portion
 21 of two counties, Marion and Citrus, which means
 22 that the likelihood of having representation from
 23 a rural county would be very slim.
 24 So, I just would like for you-all to take
 25 that under consideration and I wish you well. It
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1 is a tough job that you have got. I don't want
 2 it.
 3 CHAIRMAN WEBSTER: Thank you for appearing.
 4 Jason, is it, Ouzts?
 5 MR. OUZTS: Ouzts.
 6 CHAIRMAN WEBSTER: You are recognized.
 7 MR. OUZTS: Thank you. I'll start by saying
 8 first I'm honored to be here. You-all do have a
 9 very tough job, and I want to commend you.
 10 I'm here representing the Dixie County Board
 11 of County Commissioners and touching on, based on
 12 what some of the people that have come before me
 13 have said, we are looking at the similar
 14 interests, the case of some of the smaller rural
 15 counties. We are predominantly a recreational,
 16 agricultural, fishing-type county.
 17 A lot of people come across the state and use
 18 us as a playground, really, and we enjoy it, we
 19 enjoy that aspect of our county. Basically, the
 20 communities are the same, we feel should be kept
 21 together and able for the small rural counties to
 22 come together and have one voice in Tallahassee on
 23 some of the important issues that are taken up
 24 here.
 25 Moving down to the more populated counties,
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1 the bedroom communities of Tampa, that we like to
 2 call them, some of the interests are a little bit
 3 different, not that they're wrong or we're right,
 4 or we're right and they're wrong, I just want to
 5 again voice our opinion for some of the smaller
 6 counties to stick together and have that presented
 7 here before you today. Thank you for your time.
 8 CHAIRMAN WEBSTER: Thank you for appearing.
 9 Frank Russell.
 10 MR. RUSSELL: Thank you very much. It is my
 11 pleasure to stand before you this afternoon. I'm
 12 not going to tell you whether I live in the city
 13 or whether I live in the county, but I am going
 14 to say, How you folks, now you know.
 15 I came here this afternoon representing
 16 Taylor County and the needs of the people of
 17 Taylor County. We are unique in ourselves and we
 18 have asked -- we are unique in the fact that we
 19 know each other, everybody in the entire community
 20 knows the other.
 21 Our needs are different just as these people
 22 have spoken. The people in Citrus County just
 23 appeared before the Florida Wildlife Commission
 24 and they asked them to shorten the scallop season.
 25 We appeared before them and asked them to lengthen
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1 the scallop season. Our economy is such that it's
 2 unbelievable, our unemployment is 10 percent.
 3 Our needs are much, much greater than those
 4 needs of those people in the other communities.
 5 In a small community when we read the obituaries,
 6 we know who they are, and a large community, they
 7 don't know anything at all about them.
 8 Our coastal needs are different from those,
 9 they have sewer systems.
 10 CHAIRMAN WEBSTER: Mr. Russell, could you
 11 just hang on one second? Members, could you help
 12 give attention here, we are trying to listen to
 13 testimony. Okay. You are recognized.
 14 MR. RUSSELL: Thank you. Our coastal needs
 15 are definitely different than those that are in
 16 Citrus County and Marion County, doesn't have a
 17 coastal problem, but they have sewer problems,
 18 where we -- they don't have any sewer -- we don't
 19 have any sewer, they have sewer.
 20 In Citrus County, the government, Federal
 21 government, just spent a large amount of money and
 22 the State government putting in sewer there. We
 23 don't have those things, we have asked for
 24 \$600,000, they asked for 6 or \$7 million. Taylor
 25 County is identifiable with Lafayette County, they
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1 are identifiable with Dixie County, they are
 2 identifiable with Madison, Jefferson, the
 3 surrounding counties of smaller communities. All
 4 of our needs are basically the same.
 5 Even the State of Florida recognizes -- even
 6 the State of Florida recognizes that smaller
 7 counties have different needs than larger
 8 counties. U.S. Senators and the House of
 9 Representatives call small counties the ones below
 10 75,000. We are below 75,000.
 11 And we would ask you to allow us to at least
 12 have some small percentage of the vote. Some 59.8
 13 percent of the vote would be controlled if you
 14 leave it as it is in Marion County and Citrus
 15 County, and -- those two counties alone. So, they
 16 could possibly elect, and we have no one in our
 17 system there to represent the small counties.
 18 When a friend in a small community calls, we
 19 go help. When we ask, tell our friends and
 20 neighbors that a tax base must go up that we need
 21 new industry, we work among ourselves to try to do
 22 that, we build new homes, we help people.
 23 The one thing that you have in a small
 24 community that you don't have anyplace else, no
 25 place else in the world, and I have lived in both
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1 communities, is the simple fact that we know our
 2 neighbors and when we leave, we are invited back
 3 and they always say, If we can help you, please
 4 let us know.
 5 And we ask you, you have an opportunity to
 6 help the small communities. We ask you for your
 7 help today and rearrange this district such that
 8 the majority of the people, at least the majority
 9 of the people, are located in the same type
 10 communities that the majority of the area is.
 11 We would tell you that if you leave it in
 12 this manner, that a representative that we have
 13 had for years, shared with, I believe, 18 counties
 14 now at the present time and instead of sharing
 15 him, we'd rather share him with 19 counties, small
 16 counties, rather than share him with 14 counties
 17 and two of them be large counties.
 18 I do appreciate you allowing me to speak here
 19 today. Thank you.
 20 CHAIRMAN WEBSTER: Thank you for appearing.
 21 Tim Sanders.
 22 MR. SANDERS: Good afternoon, Senator, and
 23 Senators. I would like to thank you for allowing
 24 me this opportunity to speak before you on behalf
 25 of rural north Florida, sometimes called "The
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1 Original Florida," or "The Other Florida," Madison
 2 County.
 3 We are very thankful for the work of our
 4 legislative delegation, Senator Mitchell, Senator
 5 Lawson, and Representative Stansel. And we also
 6 thank the Florida Legislature for what they have
 7 done for Madison County.
 8 I am the Clerk of the Circuit Court there.
 9 We appreciate your funding for schools, for
 10 recreation, and small county courthouse funding,
 11 we appreciate it very much. But -- our delegation
 12 from north Florida does a real good job in
 13 relaying the needs of north Florida and rural
 14 north Florida because of their knowledge of our
 15 needs and also the knowledge of our opportunities,
 16 knowledge that comes mainly from their roots in
 17 north Florida.
 18 It's my concern that with the proposed map
 19 16, the population shift to central Florida along
 20 the Marion/Citrus County corridor, that we will
 21 lose that representation in the future after
 22 Senator Mitchell's term limit is up.
 23 Our legislative delegation understands that
 24 rural counties are trying very hard to enhance our
 25 economies, our image and our quality of life,
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1 oftentimes competing with the state of Georgia,
 2 which I would like to add, the only time that we
 3 are beating them is on the football field in Doak
 4 or in the Gator Bowl. And we need our rural
 5 representatives to help, with your help, for
 6 expanded revenues and employment opportunities for
 7 our people.
 8 Our representatives also understand that we
 9 need to make the most of the limited economic
 10 resources that we have in rural North Florida.
 11 And it's my hope, ladies and gentlemen, that you
 12 would relook at this map 16, the proposed District
 13 3, and hopefully shift it back to a more rural
 14 north Florida setting.
 15 Thank you very much for your time. Good day.
 16 CHAIRMAN WEBSTER: Thank you for appearing.
 17 Commissioner Randy Harris.
 18 MR. HARRIS: Thank you, Mr. Chairman. I have
 19 got some copies of documents that some of you have
 20 seen before. We hand-delivered many of these to
 21 the members, we mailed others, and brought some
 22 extra copies today.
 23 And this isn't -- I'm here for Marion County,
 24 by the way, I'm chairman of the Marion County
 25 Commission, also am chairman of the Republican
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1 Executive Committee of Marion County.
 2 But let me just say, and you will understand
 3 as I continue, that I'm not here on behalf of
 4 partisan politics, I'm here representing everyone
 5 that lives in Marion County.
 6 I would love to ask the question, except I
 7 think that we would get the same answer that we
 8 heard asked before, What criteria has been used to
 9 draw the map?
 10 If you would, please zoom in on Marion
 11 County, perhaps the most intriguing county of the
 12 entire state. Four Senate districts and we have
 13 followed the maps that went from three to four to
 14 five back to four, but if we were to use the same
 15 criteria in trying to cause to fit the responses
 16 that were used previously, you would find that
 17 none of the responses would work.
 18 Let me say as well that we had public
 19 testimony, we had a public hearing in Marion
 20 County at Central Florida Community College, many
 21 of you attended. I think that what those in
 22 Marion County heard was that this occasion comes
 23 around about every ten years and population is the
 24 formula, the primary formula, used to determine
 25 where these lines are drawn.
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1 So, the truth is, we have had ten years to
 2 draw these maps, haven't we? This whole drawing
 3 process didn't just begin, we have had many, many
 4 years to draw all of these, we've had many years
 5 of information, all the criteria has been in place
 6 on the population, the densities that exist in all
 7 these districts. But let me go through what I
 8 heard today and make sure that I didn't
 9 misunderstand anything.
 10 The criteria that's been cited today that's
 11 been used in drawing these maps were the
 12 population formula. I testified in a previous
 13 meeting that Marion County has a 40 percent
 14 greater population than neighboring counties that
 15 have resident Senators, 40 percent greater
 16 population.
 17 If you look at this map, you will see that we
 18 have been carved up in order that our population
 19 would be split up and pushed into other counties
 20 in order to justify those particular districts.
 21 It is very obvious that that has happened, which
 22 leads us to the next criteria that was used, that
 23 of keeping a community whole.
 24 Is there a member on this committee that can
 25 explain that to us? How do we keep a community
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1 whole when we have sliced it up like a pie? It is
2 a very interesting concept. How do we preserve a
3 community of interest? It is very intriguing
4 that, and I didn't know that they would be here,
5 all of our neighboring counties that surround
6 Marion County have all stood up here and testified
7 that they don't have anything in common with
8 Marion County.

9 It's very obvious, we have an entirely
10 different economic base, we have different social
11 issues. We could go down that laundry list, but
12 you have already heard them. We stand separate
13 and apart from our neighbors because we are so
14 different and you have heard them testify to that
15 today.

16 So, how do we respond to the people in Marion
17 County when we argue here today, many of your own
18 members on this committee have said, Oh, but we
19 have attempted to retain communities of interest.
20 Very obviously, that doesn't apply to Marion
21 County. Very obviously, neither does the criteria
22 of keeping a county whole, apply to Marion County.
23 Very obviously, and this was repeated by many
24 members that we went to these communities and we
25 listened to public testimony, and we have
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1 attempted to cause to reflect their concerns in
2 these maps that we have drawn. We have heard that
3 in the amendments that were offered earlier and we
4 have heard it again since then.

5 We listened to public testimony and we drew
6 these maps to the best of our ability in
7 accordance to the desires of those constituents
8 who live in those communities. At no time, ladies
9 and gentlemen, in Marion County when you had the
10 public testimony did anyone stand up and say,
11 Please to the best of your ability carve us up
12 four or five different ways and use our population
13 to prop up or justify Senate districts that
14 combine neighboring counties. All of which,
15 again, I'll remind you, said together today that
16 they had nothing in common with us.

17 So, all of this criteria, that of the
18 population being used, we have the greatest
19 population of all of our neighbors, so that
20 population criteria wasn't used. Keeping a
21 community whole wasn't used, preserving,
22 recognizing, honoring a community's special
23 interests was not used.

24 I can't think of any criteria that was shared
25 here today in your previous discussions that was
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1 used in Marion County, not one. And I have
2 listened very patiently.

3 I have a letter here that I'm going to enter
4 into the record and I apologize, I don't have
5 copies for all of the members, some very specific
6 statistics on Marion County. And by the way, let
7 me say as well that I'm speaking to the issue of
8 District 3 and District 7 and District 20 and
9 District 14, all of which have a piece of our
10 population within Marion County, our neighboring
11 counties.

12 These are statistics, these are real personal
13 parcels, property parcels, real and personal
14 property parcels, within Marion County. There are
15 253,000 different parcels of property.

16 Now, listen to me carefully, the closest
17 county to us that is within these districts is
18 Lake County, and they have at least 100,000 fewer
19 parcels. Levy County only has just under 50,000.
20 Putnam's at 101, Alachua is at 96,776. We have
21 253,000 parcels.

22 Tag transactions, we are at 354,000. Closest
23 you can get with any of these other counties is
24 273,000. It goes on and on and on the statistics
25 from the tax collector's office and the property
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1 appraiser's office. All of these statistical
2 criteria that measure the size, the magnitude, the
3 activity within a community suggests that Marion
4 County has all of this in abundance, far more than
5 any of its neighboring counties, yet our
6 population has been carved up, fragmented,
7 fractured, split up, dissected, if you will, to
8 justify Senate districts in other communities.

9 There's no single criteria, not one, that you
10 have used in your deliberations for many months
11 now that's been applied to Marion County to
12 justify what has happened on your map, not one.

13 Senator King asked me a question when I was
14 here last time, he said, But, Commissioner, with
15 all of the budget restraints, you would think that
16 perhaps with multiple Senators in Marion County,
17 you would at least get your special projects
18 funded, what do you think of that?

19 And I responded, citing a statement that I
20 had made at Central Florida Community College
21 sometime back when we had our legislative
22 delegation meeting and I suggested that we needed
23 to do away with the archaic system of jousting, if
24 you will, with our seniority to try to get a piece
25 of the action at the end of the budget year, but
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1 we probably won't do that.

2 So, probably the best way to answer that

3 question would be to ask Senator King to help me

4 in answering the question, because it was a very

5 good question. Did Marion County fare better by

6 having multiple Senators during the budget

7 restrictions of last year actually, more

8 specifically as they pertain to special projects?

9 And I don't want to put you on the spot, but

10 you helped me make a point last time and I'm going

11 to appreciate it if you would oblige me now.

12 Which special project was funded in Marion County

13 by our, or even requested, by our Senate

14 legislative delegation last year?

15 I wouldn't expect, Senator King, that you

16 would be able to answer the question. If you can,

17 I will commend you. But I wouldn't expect that

18 any Senator could answer that question and

19 probably no House member could answer the

20 question.

21 But it helps beg the question that you stated

22 on the record the last time I was here, Does

23 Marion County fare better by having multiple

24 Senators? The answer to the question obviously is

25 no. But more importantly, as it pertains to the

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1 formulas that you are bound by, that you were

2 supposed to utilize, formulas that Marion County

3 didn't create, we didn't participate in that

4 process.

5 All of that criterion that are used by this

6 committee, Do they pertain to Marion County, and

7 if not, what special criteria are we going to use

8 for Marion County? Because if you can share that

9 with me and put it in writing, I'll be glad to

10 take that back and share it with the 260,000

11 people that live in my county. And I think that

12 those people deserve an answer to the question.

13 Again, I said that I'm not here on behalf of

14 partisan politics. I'm going to read simply the

15 index page here of a packet that I will leave for

16 the record. Many of you already have it. These

17 are letters protesting what's been going on with

18 these maps in Marion County, those that would

19 support, in fact, the previous argument that we

20 made in testimony that we deserve the possibility

21 of having a resident Senator in Marion County.

22 These maps would preclude that from ever

23 taking place. And if you go to your statistic

24 section on your computer, you will find that is

25 the case and I'm not give you all the population

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1 breakdown now, you can find those.

2 I have a letter here -- letters from

3 constitutional officers, the Marion County

4 Commission Resolution, Clerk of the Circuit Court,

5 Property Appraiser, Sheriff, Marion County Tax

6 Collector. There are letters or resolutions in

7 here from the City of Dunnellon, City of Ocala,

8 City of Belleview.

9 We have local business leaders, associations,

10 the newspaper, the Republican Executive Committee,

11 the Democratic Executive Committee in Marion

12 County as well. Their last statement is on behalf

13 of our committee: We strongly object to the

14 current plan and ask that lines be redrawn to

15 provide Marion County with a voice in the State

16 Senate.

17 The Monroe Regional Medical Center, Marion

18 County Economic Development Council, Marion County

19 Builders Association, the Road Builders

20 Association, the Dunnellon Area Chamber of

21 Commerce, Marion County Senior Services.

22 We have an editorial from our local

23 newspaper, Kurt Kelly, school board member, guest

24 column, another star banner article. Marion

25 County Farm Bureau, Ocala Regional Medical Center,

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1 Central Florida Community College of Ocala, Marion

2 County Chamber of Commerce consistently requests

3 the same consideration that these other counties

4 have been given that have resident Senate seats.

5 Not one has asked that we carve Marion County

6 up into this fashion. I listened to the testimony

7 earlier that we have attempted to preserve the

8 Senate seats of incumbents. I'll tell you that

9 those in Marion County that I serve with and work

10 with that speak to us have no problem with the

11 personalities of those Senators that represent

12 Marion County. We appreciate and respect each and

13 every one of them.

14 Ten years is a long time. Our population is

15 almost at 300 now, but the population formula has

16 been ignored. I would request, respectfully

17 request, that you use the same criteria for Marion

18 County that's been used in these other areas. I

19 only wish that we had some of the problems that I

20 listened to in the last meeting, concerns with

21 splitting a district on one side of a street or an

22 avenue. Wouldn't that be a pleasant problem to

23 have?

24 But ladies and gentlemen, I think that you

25 would all agree that Marion County has been used

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1 as a bank, a pool of population, to be carved up
2 in order to help justify other districts. I will
3 leave these copies for the record and, again, I
4 appreciate the opportunity to be here. Thank you.
5 SENATOR CAMPBELL: Mr. Chair.
6 CHAIRMAN WEBSTER: You are recognized for a
7 question.
8 SENATOR CAMPBELL: Mr. Commissioner, I
9 believe that you have probably made a statement
10 that we all should take heart to, which should be
11 that Florida should have an independent agency
12 doing this whole process. Would you agree with
13 that?
14 MR. HARRIS: Yes, sir, I would.
15 SENATOR CAMPBELL: And isn't it kind of silly
16 though that when we have partisan politics, we
17 have a lot of good Republicans, a lot of good
18 Democrats up here that we use words that we are
19 trying to follow the Supreme Court guidelines, but
20 actually it doesn't look like it's working out
21 that way?
22 MR. HARRIS: I would have to agree with that
23 as well, sir.
24 SENATOR CAMPBELL: So, would you recommend
25 the next time around that we try to have an
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1 independent commission to do this, so that, in
2 fact, we could put away the partisan politics and
3 vote on representatives for areas as they should
4 be represented?
5 MR. HARRIS: Sir, I would agree with putting
6 away the partisan politics. Let me emphasize
7 though that I am convinced that they are
8 well-intended members that serve on this committee
9 --
10 SENATOR CAMPBELL: Very well intended.
11 MR. HARRIS: -- that only have the best
12 interests for those constituents and all of those
13 of that state. I do believe -- I am a staunch
14 conservative Republican, I am very partisan in
15 some venues, but let me just tell you that I have
16 tried to be as open with this process as possible,
17 inviting all of the public input from Democrats
18 and Republicans and Independents and otherwise in
19 Marion County to come and communicate their
20 message, we have their resolutions and letters
21 here supporting our position.
22 But I think most of the committee members
23 have realized that much of this is going to
24 actually take place in the courts anyway, and most
25 of this testimony that's being offered by many of
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1 those who came to speak and will continue to speak
2 and enter documents into the public record is
3 simply for the purpose of posturing for the
4 courts.
5 Now, anyone that would stand up and say they
6 disagree with that is being disingenuous. I've
7 talked to enough of you to know better. It is a
8 shame, however, that the public has to be put
9 through what they have had to be put through to
10 get to this point.
11 Many times, the meetings have been canceled
12 and rescheduled and canceled and rescheduled. The
13 public in many cases has given up on trying to
14 even come and testify any longer. But it is a sad
15 process.
16 SENATOR JONES: Mr. Chairman.
17 CHAIRMAN WEBSTER: Senator Jones, you are
18 recognized for a question and hopefully a brief
19 response.
20 SENATOR JONES: Thank you, Mr. Chairman.
21 It's not really a question, it's actually a
22 comment, maybe a little bit of trivia.
23 You talked about Marion County being split up
24 into four different districts and whether or not
25 that was a good thing or a bad thing, and then
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1 ultimately came to a conclusion that it was a bad
2 thing. I'll tell you that I can only give you one
3 instance when something like that was a good
4 thing, and that was the City of Homestead after
5 Hurricane Andrew.
6 And the population at the time of about
7 25,000 people represented by three Congressmen,
8 two State Senators, three State Representatives
9 and two county commissioners in single-member
10 districts had their concerted effort to try to
11 help them after the hurricane, and that was a good
12 thing at the time.
13 Now, since then, that's become a detriment to
14 that community because now that they have
15 recovered, they haven't gotten the same attention
16 from all of their elected representatives as they
17 did at that time. In the same way, Marion County
18 being very close to the geographical center of the
19 state will probably not fare well, as you have
20 indicated, under this particular scenario that is
21 up here before us today.
22 And so, I just want to commend you for coming
23 here and expressing your mind about this
24 particular plan and the detriment that it would
25 have in your community. I think that you are
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1 correct, that your projects probably will not be
2 funded, that it'll be very difficult for you to
3 get a lot out of this Legislature and so, all of
4 us have to represent the areas that we are
5 assigned.

6 And so, thank you for coming up here
7 representing Marion County and giving it your best
8 shot. It is important for us, I think, to make
9 sure that we represent the interests of the people
10 that elect us. And, in particular, the public
11 testimony that we receive, yours is some of the
12 most substantive that we have received post any
13 map being drawn at all. And I appreciate you
14 coming up.

15 MR. HARRIS: Thank you, sir.

16 CHAIRMAN WEBSTER: Thank you for appearing.

17 MR. HARRIS: Thank you.

18 CHAIRMAN WEBSTER: Senator Crist.

19 SENATOR CRIST: Thank you, Mr. Chairman. I

20 guess in listening to Mr. Harris' presentation, I
21 have a few comments I'd like to just go ahead and
22 get out there. You know, we only have 40 Senate
23 positions, we have, what, 67 states -- 67 counties
24 in this state. So, it isn't going to be possible
25 for every county to have a Senator as a resident

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1 in that particular county.

2 Right now, I represent two counties and under
3 the proposed plans, all of them, I will continue
4 to represent at least two counties. And I know
5 from my perspective and I know from watching many
6 of you who also serve in my region, we work
7 extremely hard to try and meet the needs of the
8 people in the other county that we may not live
9 in.

10 And to say that it's an advantage to have a
11 resident Senator in that county is false because
12 up here, it isn't having one person as your
13 spokesperson that gets you what you want, it's
14 having more than one voting for what you want.
15 Having three Senators voting for an issue on
16 behalf of Pasco County or Hillsborough County or
17 Pinellas County is a lot more strength than having
18 one Senator voting on your behalf even though they
19 happen to be a resident there.

20 And we don't represent counties, we represent
21 people, people, and I think we need to get back of
22 what this whole mission is about and that is
23 people.

24 CHAIRMAN WEBSTER: Okay. Next we have Kartik
25 Krishnaner.

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1 MR. KRISHNANER: Thank you, Mr. Chairman,
2 it's Kartik Krishnaner just for the record and I'm
3 speaking on behalf of the Orange County Democratic
4 party today.

5 CHAIRMAN WEBSTER: I did my best.

6 MR. KRISHNANER: I just wanted to come and
7 address the committee on the proposed map that
8 Senator Laurent has submitted and he's done a
9 yeoman's job throughout this process as have all
10 of you on the committee, but there are concerns
11 the Democratic party in the Orlando area has
12 regarding this map.

13 And it resolves basically around the issue of
14 Hispanic representation in central Florida. As
15 I'm sure everyone on this committee is aware of,
16 the Hispanic population of both Orange and Osceola
17 Counties has shot up since 1990, and in that, that
18 is a community that's looking for representation
19 in the State Legislature.

20 And the State House in the map that they
21 passed last week, Senator -- excuse me,
22 Representative Byrd's plan drew two new
23 Hispanic-influence districts for the State House.
24 What we see in plan 16 is specifically that
25 there's been a packing of communities that are not
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1 communities of interest in a single district, it
2 is a district that resembles District 14 currently
3 represented by Senator Dyer.

4 We have got communities as separate in their
5 interest as Zellwood, which is a historic
6 African-American community which has been an area
7 populated by African-Americans for over a hundred
8 years and areas like Kissimmee, where the Hispanic
9 population growth has taken place in the last five
10 to ten years.

11 So, in that district, we have two very
12 distinct communities which don't have the same
13 interests that need to be represented in their
14 State Senator, and they are at about an equal
15 population balance in the district and we are
16 probably going to have a very, very divisive
17 election between these two ethnic groups.

18 It is also a district which could create some
19 sort of polarity between those two communities,
20 both the Hispanic community in central Florida
21 growing at a rapid rate as the 2000 census
22 reflected, and the African-American community in
23 Orange and Osceola Counties, pretty staggering in
24 this population.

25 The district drawn in the proposed plan
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1 stretches all the way from Zellwood to Apopka in
2 the northwest county through the city of Orlando
3 down to Kissimmee and Osceola Counties.

4 So, again, I think the committee has done an
5 exceptional job, and Senator Laurent deserves
6 applause for doing the best job that he could on
7 these maps, but we have concerns concerning
8 Hispanic representation in District 19 as it is
9 drawn on the map. Thank you.

10 CHAIRMAN WEBSTER: We have James Ward.

11 MR. WARD: Thank you, Mr. Chairman, I'm Jim
12 Ward from Volusia County. I'm here representing
13 the Volusia County Council. And I'm here to do
14 something different, I guess. We were here about
15 three weeks ago asking you to, or this committee,
16 to look at the number of districts that were
17 represented in Volusia County. We started off
18 with five, got down to four and now we are down to
19 three.

20 So, I'm here to do something a little
21 different. So thank you for that. And I know
22 that one of the questions of Senator Laurent was
23 about Volusia County and we did have a lot of
24 input, we had, as everybody else did, we were up
25 here testifying, we sending down everything we
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1 We believe that it keeps minority districts
2 intact to the extent feasible. And also, plan 16
3 reflects the comments made at our public hearing
4 taken at Daytona Beach Community College last
5 fall. It respects voting age population in the
6 districts, and like Councilman Ward here, I was
7 here before you three weeks ago, and we had a
8 concern with plan 9, but I'm glad to be here today
9 in support of plan 16.

10 We want to be good neighbors with the
11 counties that we share Senate districts with.
12 And, again, we would like to commend Senator
13 Laurent and everyone else who has worked on this
14 committee.

15 And in closing, I would like to commend your
16 staff members, Leonard Seiler here, Bret and Sandy
17 and the other ones who have worked hard on this.
18 Very good staff members, they have been most
19 helpful and courteous in working with the general
20 public. Thank you.

21 CHAIRMAN WEBSTER: Thank you. That is the
22 last card we have for public testimony. We have a
23 court reporter that's been recording for a good
24 time here so I think we are going to take a break,
25 and when we come back, we have two amendments to
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1 could get to and bringing people up to ask that
2 you cut our district down and I'm here to let you
3 know we appreciate that.

4 The amendments and the discussion,
5 notwithstanding, I understand all of those issues,
6 but we appreciate and I think that it's
7 appropriate that after asking you to do this, we
8 come up here and tell you thank you and that's
9 all. Thank you, sir.

10 CHAIRMAN WEBSTER: Thank you. Jim Cameron.

11 MR. CAMERON: Afternoon. My name is Jim
12 Cameron, I'm with Daytona Beach/Halifax Chamber of
13 Commerce. And, Senator Webster, Senator Laurent,
14 and other members of the committee, we support
15 plan 16. Volusia County is a county of
16 approximately 450,000 people.

17 And reflecting on what Senator Crist just
18 said, everybody I know would like to have their
19 own Senator for their own county, but we in this
20 plan have multiple Senate districts, we have three
21 of them.

22 And we are happy, just like Councilman Ward
23 just said, we believe that this is a plan that
24 respects communities of interest, it respects
25 political boundaries to the extent feasible.

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1 this plan to consider and we are going to vote and
2 then we're going to vote on the amendment and then
3 we are going to vote on the joint resolution and
4 that should go pretty quickly.

5 So, once -- if there's somebody that wanted
6 to come back for the votes, now is the time.
7 Break will be seven minutes.

8 (Brief break.)

9 CHAIRMAN WEBSTER: Okay. Members, we have
10 two amendments to the amendment and here is the
11 way we are going to treat them. First of all, we
12 are going to take up Tab 7, which is an amendment
13 by Senator Diaz de la Portilla. If that amendment
14 is adopted or not adopted, we'll take up Senator
15 Geller's amendment to the amendment.

16 Both of these amendments only affect certain
17 areas of the state and they are separate areas of
18 the state. So, if both were adopted, then we
19 would include both -- one would not wipe out the
20 other changes from the other amendment to the
21 amendment, we would adopt both of those amendments
22 and the changes contained therein.

23 So, if you will turn to Tab 7, Senator Diaz
24 de la Portilla will explain his amendment. You're
25 recognized.

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1 SENATOR DIAZ de la PORTILLA: Thank you,
2 Mr. Chairman. Senators, as you know, Miami-Dade
3 County currently has seven Senate districts. And
4 to me, the constitutional requirement of one
5 person, one vote, two of those districts must lose
6 population and five must gain population.

7 At the same time in the public hearings, we
8 heard a very strong message from the public to
9 keep established communities of interest in place
10 to the best possible extent.

11 The amendment that I'm offering today as a
12 friendly amendment to Senator Laurent's plan
13 simply tweaks the Miami-Dade area to better
14 reflect an important balance between adjusting
15 population and retaining communities of interest.

16 Several things happened under my amendment.
17 Under my amendment, proposed District 39, the
18 Jones' seat retains more of the current
19 African-American constituency than the existing
20 Laurent plan. For example, by retaining more of
21 the constituency of current District 34, my
22 proposed District 36 also had to shift northward
23 to gain population. Further north than the plan
24 that Senator Laurent is offering.

25 In moving northward, I looked at specific
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1 communities of interest that are not currently in
2 my district or in my district under Senator
3 Laurent's plan whose economic and cultural
4 conditions more closely mirrored those of my
5 current constituency.

6 And if we need the lawyers to go into more
7 detail about how we did that, how they reviewed
8 that, we can do that, Mr. Chairman. The amendment
9 has been, as I said, reviewed by the lawyers, has
10 the support of Senator Laurent, it is legally
11 sound, very sound, and it simply changes nothing
12 else outside those impacted seats in Miami-Dade
13 County.

14 CHAIRMAN WEBSTER: Are there questions in
15 response to the amendment? Is there debate on the
16 amendment? Senator King, you are recognized.

17 SENATOR KING: Thank you, Mr. Chairman. You
18 know, just for clarity's sake, is this basically
19 what was the last Laurent map with a Diaz de la
20 Portilla twist?

21 CHAIRMAN WEBSTER: Senator Laurent.

22 SENATOR LAURENT: Yes, this map is identical
23 to the map that we have been discussing except for
24 the specific change in Dade County. The rest of
25 the state, there's no change whatsoever.

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1 SENATOR KING: So -- follow-up, Mr. Chairman?

2 CHAIRMAN WEBSTER: You are recognized for
3 follow-up.

4 SENATOR KING: Okay. So if this which is
5 being offered as an amendment passes, would it
6 then be the bill that we would be voting on? I am
7 trying to figure out where strategically we are.

8 CHAIRMAN WEBSTER: Well, strategically, we
9 have an amendment to Senator Laurent's amendment.

10 SENATOR KING: Which is what's before us now?

11 CHAIRMAN WEBSTER: That's right. And then
12 once -- if this is adopted or defeated, then there
13 would be another amendment to the amendment to be
14 voted on. Once that takes place, that could be
15 defeated or accepted. Once that takes place, then
16 we'll adopt whatever is left onto the current
17 Senate joint resolution that is before us.

18 SENATOR KING: I understand. Thank you,
19 Mr. Chairman.

20 CHAIRMAN WEBSTER: Is there debate? Okay.
21 If you favor the adoption of the amendment,
22 signify by saying yea. Opposed?

23 (Voice vote taken.)

24 I believe the amendment is adopted. Okay.

25 Now, Senator Geller, we are on your amendment,
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1 amendment 8.

2 SENATOR GELLER: Okay. I want to show them
3 what the amendment is. I'm sorry, Mr. Chair.

4 CHAIRMAN WEBSTER: You are recognized,
5 Senator Geller.

6 SENATOR GELLER: Thank you, Mr. Chair. My
7 concerns on this map deal with seat 27. And if I
8 can show you what they are, there are several of
9 them.

10 First, they are in Lee County, there's an
11 area called Dunbar which is a heavily -- it is a
12 minority Democratic area as you can see by the
13 high concentration right there. If you look on
14 the map, that area has been placed in an area,
15 Senate seat 37, which is an overwhelmingly
16 Republican area.

17 I believe if you can see the election --
18 well, if you want me, I'll be able to show the
19 election results in that area, but it is an
20 overwhelmingly Republican seat. And in that seat,
21 the overwhelmingly Democratic area of Dunbar will
22 simply be overwhelmed and they will have no
23 significant voice in electing their own elected
24 officials.

25 And just to show you that, if I go down to 37
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1 to show you the election results in that seat, you
 2 will see in the most recent election that in that
 3 seat, that is a seat that President Bush received
 4 61 and a half percent of the vote and Senator --
 5 Congressman McCullum received 65 percent of the
 6 vote in and placed this overwhelming minority
 7 community in that area I think does dilute -- I'm
 8 referring now to this area right here, does dilute
 9 their voice to the point of making it meaningless.
 10 The other concerns that I have on seat 27 are
 11 if you look at this map right here, you will
 12 find -- this is a fairly bizarre shaping, as you
 13 see right here, then going up through here and
 14 going up through there, and the best way that I
 15 can explain the reason for that is if you call up
 16 the presidential election results in that area,
 17 what you will find is that that heavily Democratic
 18 areas are all in that seat, while the less
 19 Democratic areas all go into seat 27, done with
 20 the obvious purpose of making seat 27 a Republican
 21 seat, while -- a safe Republican seat, while if
 22 you put these areas into that, that would not end
 23 up happening, it would not necessarily be a safe
 24 Republican seat.
 25 An additional concern as you have heard
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1 extensively from the testimony from numerous
 2 people is that Palm Beach wants three Senate
 3 seats, although the population of this, if you
 4 look at this area, you will see 235,000 people or
 5 so in Palm Beach and 160 of them in Lee County.
 6 If you actually examine where the voters are,
 7 you will find that Palm Beach will not have a
 8 Senate seat, it is an additional Lee County Senate
 9 seat because it is a heavily Republican seat and
 10 in that heavily Republican seat, 42,000 of the
 11 Republican voters are in Lee County and only
 12 28,000 of the Republican voters are in Palm Beach
 13 County.
 14 Therefore, essentially assuring that you will
 15 have a Lee County seat as opposed to a Palm Beach
 16 County Senator, even though the number of voters
 17 is actually in Palm Beach County.
 18 And finally, although, of course, this would
 19 not ever enter into my considerations, if you
 20 adopt the amendment, which I'm about to show you
 21 now, this amendment, if you adopt this amendment,
 22 it coincidentally increases one Democratic leaning
 23 seat, which would bring the number of Democratic
 24 leaning seats up to 14, actually 13 or 14, if you
 25 include both the solid seats and leaning seats.
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1 Let me show you under this map, and this is
 2 my amendment which is now in front of you. If you
 3 look at the African-American community, which is
 4 right here in the area called Dunbar, you will
 5 find that they are now part of a map that -- where
 6 they can have meaningful impact on the election.
 7 You also find -- again, if you look at that,
 8 let me do a side by side comparison of the two
 9 maps in Palm Beach. Let's just look at the Palm
 10 Beach area and see which map makes more sense.
 11 Here is the boundary in my amendment.
 12 You notice a pretty straight line, the only
 13 difference, it is not exactly straight because we
 14 are going for a zero deviation, we ended up with a
 15 deviation of two in that seat. And here is the
 16 one in Senator Laurent's map. I think it's pretty
 17 clear that this straight line is a much better map
 18 than this one coming in like this, going in like
 19 this, going in like this.
 20 That explains the amendment, Mr. Chair. Let
 21 me just conclude by saying that I believe there
 22 have been -- as you know, Mr. Chair, Mr.
 23 Sub-chair, and everyone else, I think most of us
 24 are chairs in one way or another up there, the
 25 issue is there have been some attempts to try and
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1 bring some attempted fairness to the map.
 2 Even though this map, with my amendment,
 3 would still not be proportional between the number
 4 of Democrats and number of Republicans in this
 5 state, it would still be vastly disproportional in
 6 favor of the Republicans, I think it would be an
 7 attempt at good faith, and if this amendment is
 8 adopted, I would intend to vote for the map
 9 through the process.
 10 If this amendment is not adopted, I will have
 11 to vote against the map today. I'll be happy to
 12 answer any questions on it.
 13 I'm sorry, Mr. Chair, let me be clear in
 14 answer to what you are about to ask, reading your
 15 mind, and, Senator King, the only changes to this
 16 map involve the changes in the Dunbar area that I
 17 showed you earlier and the changes here in Palm
 18 Beach County.
 19 It is exactly identical to Senator Laurent's
 20 map with the exception of that Lee County swap and
 21 this Palm Beach County swap. There are no other
 22 changes.
 23 I'll be happy to answer any other questions
 24 if there are any, Mr. Chair.
 25 CHAIRMAN WEBSTER: Senator Saunders for a
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1 question.

2 SENATOR SAUNDERS: Thank you, Mr. Chairman.
3 I was just trying to compare the other two maps
4 and I do see the difference between Senator
5 Geller's map and the one that we just adopted in
6 terms of the Dunbar area, but I'm a little
7 confused on where you're going with another plan
8 that you had filed, 0021.

9 SENATOR GELLER: I have withdrawn that, sir.

10 SENATOR SAUNDERS: That one is going to be
11 withdrawn?

12 SENATOR GELLER: Yes, sir. It's already
13 withdrawn, sir.

14 SENATOR SAUNDERS: All right. Thank you, Mr.
15 Chairman.

16 SENATOR GELLER: Mr. Chair, if I may. That
17 was an amendment involved to Senator Holzendorf's
18 map that only involved Broward and Palm Beach.

19 CHAIRMAN WEBSTER: Senator Villalobos.

20 SENATOR VILLALOBOS: Thank you, Mr. Chairman.
21 I wonder if we can go down to District Number 29,
22 if you can zoom in on that.

23 SENATOR GELLER: No, sir, I'm afraid that I
24 don't know how to do that on this computer.

25 SENATOR VILLALOBOS: Well -- but, Mr.
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1 This one, however, is being done pretty clearly
2 strictly on partisan political reasons.

3 And I don't think the other, if I knew how to
4 get down to 29, I would scroll down to that one,
5 but that one involves two Democratic seats,
6 clearly not the same as one being drawn strictly
7 for the purpose of maximizing.

8 But if that was the only issue, a straight
9 line, you know, that would be -- I know there are
10 a lot of other maps in the state that don't have
11 straight lines, that is one of the factors.

12 The Dunbar issue is another one and, again,
13 probably the biggest one is the fundamental
14 fairness issue, the entire world now knows that
15 the state of Florida is roughly 50/50 in terms of
16 the number of its voters.

17 This amendment, if adopted, would give the
18 Democrats only 14 seats that are either fairly
19 safe or leaning Democratic seats, that is still a
20 minority. There would be one or two other seats
21 that I think we would have a legitimate shot at,
22 but in my opinion, and as you know, Senator, I
23 have looked at this a lot, this map -- this
24 amendment probably brings us back to pretty close
25 to the status quo of 25 Republicans and 15
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1 Chairman, he just wanted to ask you about the
2 geography of it.

3 CHAIRMAN WEBSTER: I knew what he was asking,
4 sir.

5 SENATOR VILLALOBOS: Mr. Chairman, if I could
6 just --

7 CHAIRMAN WEBSTER: Senator Villalobos.

8 SENATOR VILLALOBOS: Senator Geller, I was
9 just wondering since you're so concerned about, if
10 you look in the back, you know, the geography of
11 that and you say that a straight line is a little
12 bit more palatable to you --

13 SENATOR GELLER: That is one of the more
14 numerous reasons that I have made this amendment.
15 Not the determinative one.

16 SENATOR VILLALOBOS: Let me ask you this,
17 Senator Geller. Wouldn't you reconsider your
18 position, if you were to look at this, not at that
19 district, but in a global sense considering all
20 the districts?

21 SENATOR GELLER: Well, sir, each district
22 obviously needs to be taken on a case by case
23 basis, there are certain reasons why some
24 districts might look one way or might look
25 another, you have the commonality of interests.

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1 Democrats.

2 I'm not happy with that but I think it's
3 fair.

4 SENATOR VILLALOBOS: Senator Geller, that is
5 all very nice, but I think you answered my
6 question.

7 CHAIRMAN WEBSTER: Yes. Senator Campbell,
8 you are recognized.

9 SENATOR CAMPBELL: I understand that you and
10 Senator Laurent have been having visions and
11 dreams about maps.

12 SENATOR GELLER: Senator Laurent and I have
13 worked extensively in trying to come up with an
14 agreement. We have, thus far, not quite been able
15 to reach one.

16 SENATOR CAMPBELL: But I guess the question
17 is do you guys dream the same dreams every night?

18 SENATOR GELLER: They are in Technicolor,
19 sir.

20 CHAIRMAN WEBSTER: Senator Meek.

21 SENATOR MEEK: Senator Geller, you said that
22 there were two changes to the maps. I guess I
23 want to know what's going on with Senator Dawson's
24 district, the changes that have been made there.

25 SENATOR GELLER: None. I put -- when I made
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1 the changes, when I created Senate 29S0018, I
2 locked Senator Dawson's seat, meaning that there
3 are no differences whatsoever between Senate map
4 0016 and Senate map 0018 as it regards Senator
5 Dawson's seats.

6 There were only four seats that were changed.
7 They were the Palm Beach swap between seat 27 and
8 seat 30 and the other one was the Lee County swap
9 between seat 27 and seat 37. There are no other
10 districts that have been changed other than those
11 three Senate districts.

12 CHAIRMAN WEBSTER: Further questions?

13 SENATOR GELLER: Do you want me to close,
14 then?

15 CHAIRMAN WEBSTER: Are there those that would
16 like to debate this amendment? Senator Laurent.

17 SENATOR LAURENT: Senator Geller and I have
18 tried to work out some agreements, which we have
19 not reached at this point. And I do not consider
20 this a friendly amendment and would ask the
21 membership not to adopt the amendment.

22 SENATOR GELLER: It is friendly, it's just
23 not acceptable.

24 CHAIRMAN WEBSTER: Senator Geller, you are
25 recognize to close.

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1 (Voice vote taken.)

2 CHAIRMAN WEBSTER: It is defeated.

3 SENATOR CAMPBELL: Could we have a roll call
4 on that?

5 CHAIRMAN WEBSTER: I believe it takes two
6 people to request that, and I don't see two.

7 Okay. Now, we are on the Laurent plan as amended.

8 Does anyone object to the adoption of that on
9 to -- as to the amendment to the plan that we have
10 before us? Okay. Show that adopted without
11 objection.

12 Now, we are on the plan. Is there debate?

13 Senator Miller, you are recognized.

14 SENATOR MILLER: Thanks, Mr. Chairman. I
15 won't be long. I think that you heard much of the
16 debate that I was going to give by some of the
17 people that came in and testified concerning
18 specifically public hearings that went around the
19 state that this map, unfortunately, doesn't
20 address.

21 Senator Laurent should be commended in his
22 work ethic and what he tried to put together for
23 this map, but there are some things that we heard
24 at the public meeting that I think are vital, and
25 one of the things that was said by the chairman of
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1 SENATOR GELLER: Again, in summary, you have
2 the Dunbar issue where I think you are effectively
3 disenfranchising the African-American minority in
4 that area.

5 Secondly, you have taken away a Palm Beach
6 seat. Even though it appears that it is a Palm
7 Beach majority, in fact, it would elect a Lee
8 County Senator.

9 Third, you have this issue right there, the
10 appearance of the maps.

11 Four, there is the fundamental fairness of it
12 creating in a state that is 50/50 Democrat,
13 Republican only 13 seats. This is a minor step in
14 the right direction by creating a 14th Democratic
15 seat, which, by the way, is not a safe Democratic
16 seat, but would be one which would be leaning
17 Democratic.

18 And as I have told you, Mr. Chair, and you,
19 Mr. Sub-chair, if we are able to adopt this
20 amendment, I'll vote for your map, Senator
21 Laurent. If we are not able to adopt this
22 amendment, at this point in time, I am not able
23 to. I've closed.

24 CHAIRMAN WEBSTER: Okay. If you favor the
25 amendment signify by saying yea. Opposed?

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1 the Marion County County Commission was that the
2 testimony did not, it appears, come into play to
3 be one of the -- with the criteria for this.

4 We talk about the Panhandle. Again, the
5 Panhandle, the testimony was they didn't want to
6 divide Gulf or Franklin or Calhoun or Liberty
7 Counties and they wanted to keep Gadsden and Leon
8 Counties intact.

9 Under this map, the map divides Leon County
10 into two different districts. And it divides Bay
11 County into three different districts, Districts
12 2, 4 and 6. And that was one of the things we
13 heard that they didn't want to do on this
14 particular map.

15 In north Florida, they talked about wanting
16 to make sure that Wakulla and Putnam and Alachua
17 Counties did not want to be split. And Citrus and
18 Levy and Sumter not be split. Under this map,
19 Levy is divided into two different districts, 3
20 and 14.

21 And, again, as we heard again, Marion County
22 is divided into four different districts, 7, 14,
23 20 and 3. It even divides Citrus into 14 and 3,
24 two different districts.

25 In central Florida, we heard a young man talk
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1 about what's happening in Orlando and how this map
 2 does not keep the communities together that
 3 maintains the growing strength, being the Hispanic
 4 and African-American communities, instead the
 5 minority communities are spread out and split
 6 between several maps -- being several districts in
 7 Seminole, Osceola and Orange Counties.
 8 In southeast Florida, we heard through the
 9 testimony that they didn't want to -- they wanted
 10 to hold St. Lucie County by one Senator. This
 11 maps splits St. Lucie County into three different
 12 districts, 28, 26 and 18.
 13 The public also requested Indian River be
 14 kept into one district, and this map divides
 15 Indian River into 26 and 28, two different
 16 districts. And in south Florida, there was
 17 overwhelming testimony concerning not linking
 18 southwest Florida and southeast Florida.
 19 The residents of Charlotte, Lee and Collier
 20 Counties wanted to be in one region. This map
 21 puts the citizen testimony out the window, it
 22 creates Districts 27 and 39 that stretch from east
 23 to west, from one side of the coast to the other
 24 side of the coast.
 25 District 27 stretches from Palm Beach County
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1 to Lee County. District 39 goes from Brownsville
 2 in Dade County to Collier County. These districts
 3 are totally devoid of what the common interests of
 4 what these communities wanted.
 5 We also talked about Pasco County, where this
 6 map ignores what the public testimony was and
 7 splits Pasco County into three different
 8 districts, Districts 12, 11 and District 10.
 9 I think that the testimony of the public
 10 around the state in this particular interest was
 11 not taken as to one of the criteria that we wanted
 12 to put into place, and I think that this is a map
 13 that we should either defeat at this particular
 14 point in time or go back and work on some more and
 15 try to do it before we hit the floor.
 16 But I say that we not take any of the
 17 criteria of what we heard from the public around
 18 the state and their testimonies as to what they
 19 wanted to do with their particular districts on
 20 this map.
 21 CHAIRMAN WEBSTER: Okay. Senator Meek, you
 22 are recognized. Okay. Senator Smith, you are
 23 recognized.
 24 SENATOR SMITH: Thank you, Mr. Chairman. I
 25 have a statement that I want to make on this
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1 proposed map which will qualify my support for
 2 this map which I intend to vote for, but I want
 3 these qualifications down because if
 4 representations as to fixing the concerns that I
 5 make here are not completed, then I would have to
 6 oppose what we are doing.
 7 One of the principal goals, Mr. Chairman, of
 8 the Voting Rights Act was to assure that no one
 9 would effectively be disenfranchised because of
 10 race and that no racial dilution in voting should
 11 occur.
 12 There's nothing that prohibits the states
 13 from redistricting that has as part of its goal
 14 race-based districts designed to benefit
 15 historically disadvantaged groups. The courts
 16 have never held that race-conscious
 17 decision-making is impermissible.
 18 On the other hand, the courts have not
 19 allowed the states the unlimited right to engage
 20 in racial gerrymandering. In the first Shaw
 21 decision, the U.S. Supreme Court noted, "A
 22 reapportionment plan that includes in one district
 23 individuals who belong to the same race, but who
 24 are otherwise widely separated from geographical
 25 and political boundaries and who have little in
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1 common but the color of their skin bears
 2 uncomfortable resemblance to political apartheid.
 3 "It reinforces the perception that members of
 4 the same racial group, regardless of their age,
 5 education, economic status or the community in
 6 which they live think alike, share the same
 7 political interests and will prefer the same
 8 candidates at the polls. We have rejected this
 9 perception elsewhere as impermissible racial
 10 stereotypes."
 11 The most damaging effect, Mr. Chairman, of
 12 this approach is that it separates, segregates and
 13 disunites us. It isn't representative government,
 14 it leads to balkanization. Race-based resentments
 15 will inevitably arise in every district within
 16 every voter that believes that the only important
 17 thing about being a candidate is the shared race
 18 or ethnicity, especially in those areas where
 19 minorities are left out of minority/majority
 20 districts.
 21 As it relates to the newly composed
 22 configuration of Senate District 2 on this map, I
 23 believe it's not just unconstitutional, but it's
 24 wrong. It meanders again all over north Florida
 25 as if driven by a GPS system honing in on enclaves
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1 of African-American households.
 2 There is no community of interest between the
 3 small, rural towns in Alachua County and Putnam
 4 County and the bulk of that district in urban
 5 Duval County. The testimony of the
 6 African-American witnesses at the Gainesville
 7 hearing requested that the city not be divided in
 8 a manner that effectively denies east Gainesville
 9 and eastern Alachua County the ability to elect a
 10 local Senator.

11 The proposed map bleaches Senate District 5
 12 so white that no minority candidate would feel
 13 that they had a chance to compete there. I have
 14 been asked to support this map and I'll do so with
 15 this reluctance because this map perpetuates a
 16 philosophy as it's drawn that I've opposed for
 17 more than 12 years.

18 I'm not worried about crossing party lines on
 19 this, I am worried about the issue of the
 20 gerrymandering of that district.

21 The most salient difference in the proposed
 22 configuration of Senate District 2 from the usual
 23 court challenges by the courts is that the
 24 leadership of the east Gainesville and eastern
 25 Alachua County has consistently insisted they
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1 don't wish to be placed in that district.

2 Today, the incumbent of that district has
 3 proposed a map that does not include that map
 4 going back to eastern Alachua County. Those in
 5 eastern Alachua County feel they are effectively
 6 disenfranchised on many local issues if the local
 7 Senator is not answerable to their concerns.

8 Moreover, the segregation of east Gainesville
 9 into a separate Senate district exacerbates the
 10 feelings that many eastern Gainesville and
 11 east-side residents, that they are politically and
 12 economically remote from the remainder of their
 13 city and county. Small towns like Hawthorne are
 14 literally split apart for no other reason than
 15 racial gerrymandering.

16 This proposal seems particularly
 17 inappropriate, Mr. Chairman, since no county
 18 affected by this map is currently a Section 5
 19 status county. Based on the following, as I have
 20 said, I will support the map today with the
 21 representations that those matters are going to be
 22 fixed and that this racial gerrymandering will
 23 stop as it effects eastern Alachua County. Thank
 24 you, Mr. Chairman.

25 CHAIRMAN WEBSTER: Further debate? Senator
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1 Klein.

2 SENATOR KLEIN: Thank you, Mr. Chairman. One
 3 of the things that I just want to express, and I
 4 know that there's been a lot of movement in the
 5 maps being drawn over the last number of weeks,
 6 but I have had a lot of concern from back home
 7 about the fact that the map came out yesterday and
 8 we had to take a vote today. And that's not a lot
 9 of time for people to react to it.

10 I did manage to make sure that people, at
 11 least some of the local people that were following
 12 this closely, I gave them the E-mail but it was
 13 very difficult for people to get their comments
 14 back as quickly as one day. So, I just want to
 15 mention that.

16 But in terms of proposed criteria for
 17 redrawing districts, there are certain criteria
 18 that law and judicial decisions suggest that we
 19 should consider. Number one, all things being
 20 equal, changes to existing boundaries should be
 21 minimized. The existing boundaries have met the
 22 requirements for the local process at both the
 23 state and national levels over the last ten years,
 24 and they should be changed only when necessary
 25 because of population shift or growth.
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1 Number two, when boundary changes are made,
 2 they should be tailored to the population changes
 3 that have necessitated them. Senate redistricting
 4 is required because changes in the overall amount
 5 and distribution of population across Senate
 6 districts since the 1990 consensus have made the
 7 existing districts malapportioned. Consequently,
 8 the redistricting should focus on the geographic
 9 areas that have experienced growth and the new
 10 district boundaries should be drawn so as to
 11 reflect the location and character of the growth.

12 The third concept is a minimal requirement
 13 for any redistricting plan is that it must
 14 maintain or enhance the Senate's likelihood of
 15 representing the state's partisan, racial, ethnic
 16 and cultural diversity.

17 We live in a very geographically large and
 18 demographically diverse and politically
 19 complicated state. A Florida Senate that fails to
 20 reflect this diversity will be unlikely to produce
 21 decisions that reflect the state's many
 22 perspectives, nor is it likely to be seen as
 23 legitimate by those groups that are
 24 under-represented.

25 And the last principle is when two plans are
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1 comparable in terms of criteria, a plan produced
2 with public input and reflecting public concerns
3 is to be preferred over a plan generated less
4 democratically.
5 Public hearings and meetings were held to
6 solicit the views of the electorate. To ignore
7 that input in any measure is an insult to those
8 who participated and may raise doubts about the
9 sincerity or the process which we worked in.
10 In terms of the specifics of this plan, I
11 think it can be argued that change has not been
12 minimized, but it has been maximized. Under the
13 plan, fully 95 percent of all voters will find
14 themselves assigned to a new Senate district.
15 Most census blocks now in District 1 are
16 moved to Districts 2, 4 and 6, and other
17 districts. Census blocks now in District 2 would
18 be moved to Districts 1, 5 and others. Census
19 blocks in District 7 would be dispersed to
20 Districts 4, 2 and others.
21 The plan looks like, in many measures, a lot
22 of movement, sort of like a musical chairs game,
23 where every Senator would be placed before, in
24 many cases, a substantially different
25 constituency.
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1 Only one district, District 8, would retain
2 the majority of consensus blocks and now define
3 it. There is also not any clear connection
4 between the district changes and population
5 changes.
6 Growth in Florida, as we know, does not occur
7 evenly throughout this state. Seven counties
8 alone account for over half the population growth
9 between 1990 and 2000. Those counties are Lee,
10 Duval, Hillsborough, Orange, Palm Beach, Dade and
11 Broward, and yet, the district changes under the
12 map are scattered all over the state.
13 The plan also doesn't enhance representation,
14 but instead, is likely to make the Senate less
15 reflective of the state population. The district
16 boundaries are drawn so as to produce a Senate, in
17 many cases, biased toward the Republican party at
18 the expense of the majority of Florida voters.
19 Florida Democrats outnumber Republicans by
20 over 300,000 voters in this state and if the
21 Senate reflected this balance, it would have 21
22 Democrats and 19 Republicans; however, in this
23 map, Republicans outnumber Democrats in 22
24 districts.
25 Furthermore, we know from the last
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1 presidential election that there's just about an
2 even number in performance of Democrats and
3 Republicans in the way they vote.
4 If we took a look at this particular map on
5 the way the Bush/Gore election results came out,
6 you will see that Bush received a majority in 25
7 districts, while Gore had a majority in 15 seats.
8 The results of this map would be a Florida
9 Senate that magnifies, in many cases, the power of
10 whites, Anglos and Republicans while effectively
11 disenfranchising some minorities and Democrats.
12 And I think that -- the last thing that I
13 would like to mention is the ethnic group that
14 probably, maybe not represented as much as it
15 should be, or maybe penalized, in this state as we
16 go to this and complete this process is the
17 Hispanic groups in Florida.
18 And we recognize Hispanics come in from
19 different nationalities and different backgrounds,
20 but I think that we could certainly look to say
21 that the number of Hispanic Democrats and
22 Independents, that they are the ones who might be
23 the least politically involved in terms of their
24 representation in the Senate.
25 In Florida, most Hispanic voters are not
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1 Republicans, 54 percent are either Democrats or
2 Independents. However, in this district, most
3 non-Republican Hispanics end up in Republican
4 districts and half of Hispanic Democrats are
5 assigned to Republican districts, as are
6 57 percent of Hispanic Independents.
7 In effect, the result will be to accentuate
8 the power of the Hispanic Republicans at the
9 expense of Mexicans and Puerto Ricans who have a
10 tendency to vote more Democrat.
11 Overall, I think that we do appreciate, you
12 know, participating in this process, but I'm going
13 to vote against this map today because of the
14 aforementioned reasons.
15 CHAIRMAN WEBSTER: Senator Posey, you are
16 recognized.
17 SENATOR POSEY: Thank you, Mr. Chairman. I
18 guess while we read stuff into the record, I just
19 want to make a couple of comments of what I
20 observed from a couple of the hearings that I went
21 to.
22 You know, I heard people come before us and
23 say, We want you to keep our communities intact,
24 we want you to have nice square shapes, we want
25 you to respect municipal boundaries. We want you
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1 to respect county boundaries, we want you to allow
2 minorities to be represented, we want to have
3 multiple representatives, we don't want to have
4 multiple representatives. We want you to respect
5 the preferences for who we have already elected,
6 people who know our issues, they know our feelings
7 and know what we want in our representation. We
8 don't want you to make funny gerrymandered-looking
9 districts.

10 So, it is a pretty mutually-exclusive set of
11 circumstances that the people have said that they
12 wanted at the hearings that I attended and I want
13 to commend the Chair and the Vice Chair and their
14 staff for trying to make some sense out of the
15 mutually-exclusive demands of a very excruciating
16 process.

17 And I once read in the newspaper that
18 80 percent of Americans distrust Congress but only
19 20 percent distrust their Congressmen. In
20 reference to Senate 15, there was a reference made
21 a little while ago to Senate District 15 on the
22 record, and I want the record to be clear that in
23 Senate District 15, they started out saying they
24 wanted one Senator and they ended up saying they
25 wanted two Senators, and they made that very
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1 the Donald Ross Road. At that point, you either
2 go into the interior of the state in Palm Beach
3 County or you go down to the bottom of the
4 district, that puts you up above the northern
5 boundary of Senate District 30. You penetrate
6 there.

7 If you go to the bottom of the district, you
8 can penetrate into the interior of the county in
9 Broward County there also. And looking at the
10 character of the -- I mean, of a voter on the
11 coast in Palm Beach going inland and getting
12 additional Palm Beach voters would be pretty much
13 the same as going to a coastal voter and Broward
14 County going into the interior of Broward County,
15 picking up a voter in Broward County.

16 SENATOR SMITH: For follow-up, Mr. Chairman?

17 CHAIRMAN WEBSTER: You're recognized.

18 SENATOR SMITH: The former maps until this
19 weekend and the new map appeared to go into the
20 interior in Broward County, and for some reason
21 that was not done, for whatever reason. I'm just
22 curious when we're looking at areas of interest in
23 commonality, it would appear to me that Wellington
24 being so far interior would have very little in
25 common and it loops around rather than even going
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1 clear. They just want to have one Congressman in
2 concert with Brevard County, but they are thrilled
3 to death to have dual representation, they've had
4 it, they've seen it works.

5 And for the record, they have been pretty
6 insistent on that. Thank you, Mr. Chairman.

7 CHAIRMAN WEBSTER: Further debate? Senator
8 Sanderson.

9 SENATOR SMITH: I am without a mike. Thank
10 you, Mr. Chairman. I have a question of Senator
11 Laurent, if I may.

12 In looking at the map and looking at a
13 district that changed numbers, first of all, I was
14 curious about the number change but, secondly, I
15 was curious what Wellington has in common with a
16 seat that appears to be a common area of interest
17 being a coastal area going all the way from Fort
18 Lauderdale up.

19 SENATOR JONES: If you look at the district,
20 the district -- you are bounded -- you're bound on
21 your west side by the existing seat of Senator
22 Dawson.

23 SENATOR SMITH: That's correct.

24 SENATOR JONES: You take over a significant
25 portion of the coastal seat of Senator Pruitt at
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1 straight through to get there.

2 SENATOR JONES: Well, the district did pick
3 up. I mean, you butt up to other incumbent
4 Senators, and if you continue to stay in the
5 northern part of Palm Beach County, then you would
6 have to take a Palm Beach County -- a nonresident
7 of Palm Beach County Senator further south than
8 Palm Beach County -- I mean, where you push in one
9 spot, someone else pushes out.

10 And it looked to me like that was the most
11 reasonable way to pick up additional voters who
12 perform similarly to the rest of the district.

13 SENATOR SMITH: Thank you, Mr. Chairman.

14 CHAIRMAN WEBSTER: Is there further debate?

15 SENATOR HOLZENDORF: Mr. Chairman.

16 CHAIRMAN WEBSTER: Senator Holzendorf.

17 SENATOR HOLZENDORF: Thank you, Mr. Chairman.
18 And I apologize for going back, my blood pressure
19 went up in trying to do this. But, Mr. Chairman,
20 if you look at Senate District 2, it looks like
21 somebody dropped some ink on the map and then just
22 drew something around it, splotches. That is not
23 the way that you are supposed to redistrict.

24 I want to reiterate what Senator Smith has
25 said. When this district was first drawn, I think
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1 we always knew that this district was not a
2 district that could withstand the test of a court.
3 Because it did not go to court did not mean it was
4 right.

5 We should be reapportioning this state not
6 based on political packing, which is what this map
7 does, not based on racial packing, which is what
8 this does, but based on the fact that there are 40
9 Senate seats that need to lose people and need to
10 gain people. And we should be doing that in an
11 orderly fashion and this map does not do that.

12 We tried to do that, we tried to work within
13 the system to get this done, but this map that
14 you-all have for north Florida is just
15 unacceptable and I wanted to say that on the
16 record.

17 And as far as drawing districts for
18 individual members, some members better go back to
19 the 1991 drawing and look at the people who were
20 here for the drawing that never returned. You
21 cannot draw these districts thinking that the
22 people are going to vote for you simply because
23 you did it. This is not a good way for us to
24 reapportion this state.

25 We should have these maps going back out into
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1 everywhere in this state mentioned that they
2 wanted to protect or keep their existing
3 Legislators. A number of them liked the existing
4 districts they were in, whether it was just
5 because they had gotten used to their current
6 districts or the fear of change, many speakers
7 were anxious to preserve their local district
8 lines as unchanged as possible.

9 There were various communities of interest
10 mentioned in various parts of the state. And
11 other issues that were mentioned, not as
12 frequently, was minority representation, county
13 integrity, compactness.

14 The conclusion, obviously, no plan can meet
15 all of these public requests while meeting all the
16 constitutional and legal requirements now that we
17 faced. One point I did want to make is on this
18 being a Democratic state, if you look at the map,
19 there are 16 Democratic seats that have a
20 registration advantage of 10 percent or more,
21 that's 16.

22 There are 12 Republican seats with a
23 registration advantage of 10 percent or more.
24 There are seven Republican seats that had a
25 5 percent advantage, so that's 19 seats which
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1 the community for people to look at them to see
2 how their districts are being redrawn and taking
3 comments and then coming back and drawing these
4 districts. But right now, we are just using our
5 own subjective intuition as to what we think needs
6 to happen and that is not the way you should do
7 it.

8 CHAIRMAN WEBSTER: Further debate? Senator
9 Laurent, you are recognized to close.

10 SEANTOR LAURENT: First, I will try to keep
11 this real close, real brief. There were some
12 comments about the public testimony, we had public
13 testimony in 24 public hearings in all parts of
14 the state. And the public did tell us what they
15 wanted, but what they told us, there were
16 differences, there were reasonable differences in
17 what they told us in some areas of the state.

18 They were particularly concerned with city
19 boundaries. In some parts of the state, they were
20 particularly concerned with rural representation,
21 but, of course, if you went to Orlando, Daytona
22 Beach or south Broward or south Palm Beach, that
23 was an issue that nobody mentioned.

24 There were some states that shared
25 priorities. A number of the speakers at virtually
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1 are -- which have a 5 to 10 -- Republican seats
2 with 5 to 10 percent advantage and there's 16
3 Democratic seats with a Democratic advantage of
4 10 percent or more, and then there were virtually
5 five seats that were toss-ups. There were two
6 seats where the percentage in registration was
7 virtually identical.

8 This plan is an honest best effort to meet as
9 many as possible of the issues before us and I
10 believe that the public that came to the hearings
11 will recognize it as such, and I would ask for
12 your favorable vote.

13 SENATOR GELLER: I'm sorry, Senator Laurent,
14 could you please repeat what you just said? I
15 didn't hear all of it.

16 CHAIRMAN WEBSTER: You can read the
17 transcript. Okay.

18 Members, we are about ready to vote here. I
19 would like to take just a minute to explain myself
20 what I'm going to be doing on this bill. I know
21 that there are those here who have policy problems
22 with this bill, there are those that have
23 political problems with this bill, there are those
24 that have partisan problems with this bill.

25 I think most of the people that know me from
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1 years past understand I believe in the process,
2 and I have a process problem.
3 I think as I went around, I went to all 24
4 hearings, myself and, I believe, Representative
5 Needleman were the only ones that did that,
6 foolish enough to do it probably, but everywhere I
7 went in answer to some of your questions, and in
8 answer to the public who demanded answers on the
9 process, and so forth, I said that we would have
10 an open, fair, and inclusive process and that the
11 most, the linchpin for that would be the amount of
12 time we have to respond to whatever it is that is
13 proposed.

14 And whether by accident or whatever, I have
15 no idea, there was a motion made that is made
16 during a time when most of those things are
17 usually cleared with the Chairman or the member
18 affected, and so, we, by vote, usually adopt them
19 in block at the end of session and there are lots
20 of withdrawals and lots of other things that are
21 done.

22 And in doing that last week, we adopted a
23 24-hour period of time for amendments which I
24 greatly object to because I would be -- I would be
25 misrepresenting what I told the public when we
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1 I'm the one that made the statements, I'm the one
2 that defended the Senate, I'm the one that said we
3 would have an open and an inclusive and a fair
4 process. And I felt like in this one step, we did
5 not.

6 So, Secretary, call the roll.
7 THE SECRETARY: Senator Brown-Waite.
8 SENATOR BROWN-WAITE: Yes.
9 THE SECRETARY: Senator Campbell.
10 SENATOR CAMPBELL: No.
11 THE SECRETARY: Senator Carlton.
12 SENATOR CARLTON: Yes.
13 THE SECRETARY: Senator Constantine.
14 SENATOR CONSTANTINE: Yes.
15 THE SECRETARY: Senator Cowin.
16 SENATOR COWIN: Yes.
17 THE SECRETARY: Senator Crist.
18 SENATOR CRIST: Yes.
19 THE SECRETARY: Senator Dawson. Senator Diaz
20 de la Portilla.
21 SENATOR DIAZ de la PORTILLA: Yes.
22 THE SECRETARY: Senator Dyer.
23 SENATOR DYER: No.
24 THE SECRETARY: Senator Garcia.
25 SENATOR GARCIA: No.
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1 were out there. I know the members can look at
2 things, we've got computers, you can bring them
3 up, you can get all the statistics, you can get
4 all the stats.

5 Our technical people have been awesome, and
6 this has nothing to do with Senator Laurent and
7 all the time he has spent, and so forth, and the
8 staff and all that's gone into it. But I do
9 believe that for me, I think we told the public
10 that we would have these things posted as soon as
11 we could on the Internet and that people could
12 look at them. And if they had questions, they
13 could either call their members or call us or
14 write us, or do something, get in touch with us in
15 a way that would allow us to respond to whatever
16 it is that they had a concern about.

17 And that didn't happen this time, and so I
18 guess for me, it is just a statement to say, I'm
19 voting no because I feel like the public didn't
20 have enough time on this particular issue. This
21 is it, this is over, that will finish it and my
22 conscience will be cleared.

23 If you have a conscience that's bothering
24 you, then I guess you could join me, but I'm not
25 asking that. I'm just saying mine did, because
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1 THE SECRETARY: Senator Geller.
2 SENATOR GELLER: No.
3 THE SECRETARY: Senator Holzendorf.
4 SENATOR HOLZENDORF: No.
5 THE SECRETARY: Senator Jones.
6 SENATOR JONES: No.
7 THE SECRETARY: Senator King.
8 SENATOR KING: Yes.
9 THE SECRETARY: Senator Klein.
10 SENATOR KLEIN: No.
11 THE SECRETARY: Senator Latvala.
12 SENATOR LATVALA: Yes.
13 THE SECRETARY: Senator Laurent.
14 SENATOR LAURENT: Yes.
15 THE SECRETARY: Senator Lawson.
16 SENATOR LAURENT: Yes.
17 THE SECRETARY: Senator Lee.
18 SENATOR LEE: Yes.
19 THE SECRETARY: Senator MEEK.
20 SENATOR MEEK: No.
21 THE SECRETARY: Senator Miller.
22 SENATOR MILLER: No.
23 THE SECRETARY: Senator Peaden.
24 SENATOR PEADEN: Yes.
25 THE SECRETARY: Senator Posey.
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1 SENATOR POSEY: Yes.
 2 THE SECRETARY: Senator Pruitt.
 3 SENATOR PRUITT: Yes.
 4 THE SECRETARY: Senator Sanderson.
 5 SENATOR SANDERSON: No.
 6 THE SECRETARY: Senator Saunders.
 7 SENATOR SAUNDERS: Yes.
 8 THE SECRETARY: Senator Sebesta.
 9 SENATOR SEBESTA: Yes.
 10 THE SECRETARY: Senator Silver. Senator
 11 Smith.
 12 SENATOR SMITH: Yes.
 13 THE SECRETARY: Senator Sullivan.
 14 SENATOR SULLIVAN: Yes.
 15 THE SECRETARY: Senator Villalobos.
 16 SENATOR VILLALOBOS: Yes.
 17 THE SECRETARY: Senator Wasserman Schultz.
 18 SENATOR WASSERMAN-SCHULTZ: No.
 19 THE SECRETARY: Senator Webster.
 20 CHAIRMAN WEBSTER: No.
 21 SENATOR LATVALA: Mr. Chairman, could I ask
 22 you a question when you -- after, before we rise?
 23 CHAIRMAN WEBSTER: Yes, hang on just a minute
 24 though.
 25 THE SECRETARY: Nineteen yeas, 12 nays.
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1 committee is going to respond, and in this
 2 particular setting, we have public testimony and
 3 we want people to have an opportunity to respond
 4 if they can.
 5 I think floor action is different, and that
 6 would be left to someone else's decision. I would
 7 hope I would be involved in making whatever
 8 decision is made, but I would not be making that
 9 decision, just hopefully giving input.
 10 SENATOR LATVALA: Thank you. I just want to
 11 make sure I was on the right end of it.
 12 SENATOR GELLER: Mr. Chairman.
 13 CHAIRMAN WEBSTER: Yes, Senator Geller.
 14 SENATOR GELLER: Thank you, Mr. Chair. A
 15 question. I know that the House has passed a
 16 joint resolution which includes both House and
 17 Senate. I presume that at some point in time, we
 18 are going to have to do the same.
 19 Is there a plan to draw a House map, is the
 20 plan to wait and see if they'll take the Senate
 21 map, in which case, we could consider taking the
 22 House map. At what point would that come in front
 23 of the committee, if ever? Is the committee going
 24 to vote on this at all, or will it go straight to
 25 the floor? How will you anticipate dealing with
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1 CHAIRMAN WEBSTER: Okay. As Senator Laurent
 2 moves, that that was a committee substitute and
 3 the Senate Joint Resolution will be reported
 4 favorably. Senator Latvala.
 5 SENATOR LATVALA: Thank you, Mr. Chairman.
 6 Being the Chairman of the other subcommittee, not
 7 wanting to run afoul of the big Chairman here, so
 8 to speak, let me just try to see if I get my wires
 9 connected.
 10 The amendment deadline that you established
 11 as the Chairman of the committee which you
 12 referenced a few minutes ago was 48 hours before
 13 committee meetings for -- to ensure public
 14 testimony, and so forth; is that correct?
 15 CHAIRMAN WEBSTER: Yes, that's correct.
 16 SENATOR LATVALA: Okay. Now, is your same --
 17 once we get involved in floor action on these
 18 particular pieces of legislation, would we be
 19 adhering to the Senate rules or would we be
 20 adhering to your policy that you have set?
 21 CHAIRMAN WEBSTER: Well, the policy that I
 22 set, Senator Latvala, was for the committee. I
 23 felt like that's my purview. We are here, I can
 24 make those promises, I can say this is the way the
 25 committee is going to act, this is the way the
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1 the House map, or the Senate map for the House, I
 2 should say?
 3 CHAIRMAN WEBSTER: Well, I'm a pretty
 4 practical person, and in the end, you usually swap
 5 and I just saw it as an exercise in futility to
 6 draw a House plan and a lot of wasted staff time
 7 when we've got things that we could be doing that
 8 are more important.
 9 SENATOR GELLER: Well, I'm just wondering if
 10 the committee will ever vote on it or will this
 11 zip straight to the floor.
 12 CHAIRMAN WEBSTER: I would not preclude that
 13 because all House bills that come over come to a
 14 committee but I would suspect we'll be taking our
 15 Senate bill to the floor.
 16 SENATOR GELLER: Thank you.
 17 CHAIRMAN WEBSTER: Yes, Senator Klein.
 18 SENATOR KLEIN: Thank you, Mr. Chairman. And
 19 along the lines of your comments before the vote,
 20 in order that we have an opportunity to do
 21 amendments and get the public to now take a look
 22 at what's available with our amendments, if you
 23 could communicate to the leadership that it's
 24 something we wanted sort of to plan out,
 25 especially at this point, you can usually appear
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1 on a day's notice.
2 So, as much leave time as we can have as
3 possible for the public to have an opportunity for
4 us to look at amendments I think would be helpful
5 in following the policy that you were suggesting.

6 CHAIRMAN WEBSTER: Thank you for that.

7 SENATOR GELLER: One more question.

8 CHAIRMAN WEBSTER: Yes, Senator Geller.

9 SENATOR GELLER: Mr. Chair, I don't know
10 whether this is a question of you or Senator Lee.
11 My understanding is that this bill will be going
12 to rules next. Will there be any amendment to
13 this bill in rules or only on the floor?

14 CHAIRMAN WEBSTER: Senator Lee.

15 SENATOR LEE: Well, if the rules committee
16 hears the bill, it would be available for
17 amendments. If it withdraws the bill, then the
18 only time amendments would be available would be
19 on the floor.

20 SENATOR GELLER: Follow-up, Mr. Chair. Has
21 the rules committee Chair reached any
22 determination yet as whether or not we will hear
23 it in rules or whether or not it'll be withdrawn,
24 or have you not decided yet?

25 SENATOR LEE: No decision has been made.
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1 CERTIFICATE

2 STATE OF FLORIDA:

3 COUNTY OF LEON:

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

10 DATED this _____ day of _____, 2002.

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12 MONA L. WHIDDON
13 Court Reporter
14 Division of Administrative Hearings
15 1230 Apalachee Parkway
16 Tallahassee, Florida 32399-3060
17 (850) 488-9675 Suncom 278-9675
18 Fax Filing (850) 921-8453
19 www.doah.state.fl.us

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21
22
23
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1 SENATOR GELLER: Thank you.

2 CHAIRMAN WEBSTER: Further comments for the
3 good of the order? Senator Laurent moves we rise.
4 (Meeting concluded.)
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