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2002 LEGISLATIVE SESSION
EXCERPT OF SENATE PROCEEDINGS
REGARDING REAPPORTIONMENT

MARCH 22, 2002
VOLUME 1 of 1
SENATE CHAMBER, THE CAPITOL
TALLAHASSEE, FLORIDA

REPORTED BY:
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 2 PRESIDENT JOHN M. MCKAY
 SENATOR GINNY BROWN-WAITE, PRESIDENT PRO TEMPORE
 3 SENATOR CHARLIE BRONSON
 SENATOR LOCKE BURT
 4 SENATOR WALTER G. CAMPBELL, JR.
 SENATOR LISA CARLTON
 5 SENATOR CHARLIE CLARY
 SENATOR LEE CONSTANTINE
 6 SENATOR ANNA P. COWIN
 SENATOR VICTOR D. CRIST
 7 SENATOR M. MANDY DAWSON
 SENATOR ALEX DIAZ de la PORTILLA
 8 SENATOR BUDDY DYER
 SENATOR HOWARD E. FUTCH
 9 SENATOR RUDY GARCIA
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 10 SENATOR BETTY S. HOLZENDORF
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 11 SENATOR DARYL L. JONES
 SENATOR JAMES E. KING, JR., MAJORITY LEADER
 12 SENATOR RON KLEIN
 SENATOR JACK LATVALA
 13 SENATOR JOHN F. LAURENT
 SENATOR ALFRED LAWSON, JR.
 14 SENATOR TOM LEE, RULES CHAIRMAN
 SENATOR KENDRICK B. MEEK
 15 SENATOR LESLEY MILLER, JR.
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 16 SENATOR DURELL PEADEN, JR.
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 17 SENATOR KEN PRUITT
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 18 SENATOR DEBBY P. SANDERSON
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 20 SENATOR ROD SMITH
 SENATOR DONALD C. SULLIVAN, M.D.
 21 SENATOR J. ALEX VILLALOBOS
 SENATOR DEBBIE WASSERMAN SCHULTZ
 22 SENATOR DANIEL WEBSTER
 SENATOR STEPHEN R. WISE
 23
 24 FAYE W. BLANTON, SECRETARY OF THE SENATE
 25
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1 RPOCEEDINGS
 2 (Senator Carlton Presiding as President.)
 3 MADAM PRESIDENT: Read the House Bill 1993.
 4 THE READING CLERK: House Bill 1993, a bill
 5 to be entitled, An act relating to the
 6 establishment of Congressional districts.
 7 MADAM PRESIDENT: Senator from the 19th is
 8 recognized to explain the bill.
 9 SENATOR LATVALA: Thank you very much, Madam
 10 President. This is the Congressional
 11 redistricting bill which we amended last evening
 12 with Amendment Number 17.
 13 I'm going to keep the -- unless there's an
 14 outpouring of support for me to read the
 15 description of all the districts again, I'm going
 16 to keep the explanation very brief. I would just
 17 like to point out a couple of things.
 18 First of all, the amendment that we adopted
 19 last night is very similar to Amendment Number 10
 20 which was filed a week ago last night on March the
 21 14th. It has been on the Internet for public
 22 comment from throughout the state and for your
 23 opportunity to review it.
 24 There are some small changes in the
 25 Hillsborough County area from where that original
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1 amendment was planned, but it was one of the
 2 possibilities that we thought might exist at the
 3 end after we had compromised with the House, so we
 4 wanted to have it out there in plenty of time for
 5 the people of Florida to have an opportunity to
 6 look at it.
 7 The second point that I would like to make
 8 is, to the best of my knowledge, we have kept
 9 every Florida incumbent in their district, every
 10 Florida incumbent has the opportunity to run for
 11 reelection in a district with a substantial amount
 12 of their current district in it.
 13 Now, when the state has grown so
 14 significantly and the need for two additional
 15 Congressional districts was provided for, then
 16 that makes it obviously very problematic to
 17 include in everyone's district all of the
 18 territory that they previously had, but we have
 19 done our best to keep the incumbent districts as
 20 whole as we can.
 21 There are one Democratic incumbent, minority
 22 party incumbent, and three majority party
 23 incumbents who have --
 24 MADAM PRESIDENT: Senators, the Senator from
 25 the 19th is explaining the Congressional
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1 redistricting map. If you would please give him
 2 your attention, this is very important for the
 3 members in this chamber and the people in the
 4 state of Florida. If you would take your
 5 conversations to the back and show him the
 6 courtesy of listening. You may continue.
 7 SENATOR LATVALA: Thank you, Madam President.
 8 As I was saying, there are one minority party
 9 incumbent and three majority party incumbents who
 10 will be asked to represent just slightly less than
 11 50 percent of their current districts.
 12 So, I think we did a very good job of
 13 preserving the integrity of the current districts
 14 and, in fact, treated the minority party
 15 incumbents perhaps as a whole better than the
 16 majority party incumbents with regard to that.
 17 We did try to approach this from a standpoint
 18 of what's best for the state of Florida, what's
 19 best for the people of Florida, keeping
 20 communities of interest together. As a result of
 21 our labors, we are pleased to report that we were
 22 able to produce two new majority minority
 23 districts, one of which is in the Tampa Bay area,
 24 and one of which is in the south Florida area.
 25 Obviously, this product is a result of
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1 compromises reached with the House of
2 Representatives. They have documented their
3 efforts throughout and their reasons for their
4 plan and then we have melded their plan with our
5 plan.

6 I want to express my appreciation to the
7 members that we worked with on this, and
8 especially, and particularly, to Senator Webster
9 who is the only member of this body who attended
10 every single reapportionment hearing throughout
11 the state and whose wisdom, based on going through
12 two reapportionment sessions, has been very, very
13 helpful, his wisdom and his calm approach to this
14 endeavor, and I very much appreciate it.

15 So, with that, Madam President, I will answer
16 questions or whatever you want me to do.

17 MADAM PRESIDENT: You have heard the
18 explanation of the bill by the Senator from the
19 19th. Are there any amendments?

20 THE SECRETARY: None on the desk, Madam
21 President.

22 MADAM PRESIDENT: Is there discussion, are
23 there questions, is there debate? Senator from
24 the 33rd, for what question?

25 SENATOR CAMPBELL: A question about
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1 consideration.

2 First of all, that is, when you start at the
3 Alabama line and you build a district with 639,000
4 and-some-odd people, which is what is required for
5 one man, one vote, and you come east, that happens
6 to be and has been the third district into the
7 state. Both of the first two districts needed to
8 lose population.

9 District 1 needed to lose 44,692 residents,
10 District 2 needed to lose 38,730 residents, so,
11 those would need to be added to the total of
12 overpopulation of District 5, which was as you
13 indicated approximately 50,000.

14 So, when you add all of that up, that is a
15 substantial number of the people that were in play
16 in the adjustment. In addition to that, we had
17 public testimony on the importance of keeping
18 Hernando, Citrus, Levy and Pasco Counties
19 together.

20 So, it was kind of a situation where that
21 district, because it was created kind of in the
22 arm of Florida, we are faced with going north with
23 part of it or going south with part of it.

24 In our original plan, we had that district
25 going north and we had to displace that incumbent
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1 Congressional District 5.

2 MADAM PRESIDENT: You are recognized. The
3 Senator from the 19th yields.

4 SENATOR CAMPBELL: Senator, you just
5 mentioned that you tried to keep all of the
6 districts together and all of the peoples together
7 and I looked at that one Congressional district,
8 and here's what I found. I found that the
9 district needed to lose 50,000 people, and yet the
10 district actually picks up 200,000 people outside
11 of the counties that this congresswoman
12 represented, namely Sumter, Lake, Pasco and Polk
13 Counties.

14 And then I found that the district ended up
15 losing about 250,000 people from Alachua and
16 Columbia Counties, which means under this map,
17 only 45 percent of the current residents of the
18 5th District will live in the new 5th District.

19 Is my math wrong?

20 MADAM PRESIDENT: Senator from the 19th to
21 respond.

22 SENATOR LATVALA: No.

23 SENATOR CAMPBELL: So, why did we do that?

24 SENATOR LATVALA: Well, Senator, we had a
25 number of things that we needed to take into
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1 out of a significant percentage of her district,
2 because we had to run it to fill in all of the
3 north Florida area. We came up with a different
4 approach so that we filled in the north Florida
5 area with another incumbent, and as a result she
6 was able to stay a little closer to the middle of
7 her district than she was in our map.

8 MADAM PRESIDENT: Senator from the 33rd for a
9 follow-up.

10 SENATOR CAMPBELL: Madam President said some
11 very important words there. She said this is
12 important to the people of the state. And I went
13 ahead and got my little dictionary out about
14 what's fair.

15 Do you think this map is fair to the folks up
16 in the present Congressional District 5?

17 MADAM PRESIDENT: Senator from the 19th to
18 respond.

19 SENATOR LATVALA: Yes, I believe this
20 district is fair, it is a balanced, political
21 district, 42 percent Republican, 41 percent
22 Democrat, certainly within the margin of error. A
23 very close politically-matched district. I think,
24 if I recall, there were proposals that were
25 floated over in the House, and so forth, that

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1 would have made this a much more Republican
 2 district and it currently has a Democratic
 3 incumbent.
 4 This was the only Democratic incumbent in the
 5 state who will have less than 50 percent of their
 6 current district, and as I mentioned earlier,
 7 there are three Republican incumbents that we've
 8 had to reduce to less than 50 percent of their
 9 current district.
 10 SENATOR CAMPBELL: One more follow-up?
 11 MADAM PRESIDENT: You're recognized.
 12 SENATOR CAMPBELL: Fairness has been
 13 described, at least in this dictionary, as means:
 14 Free from favoritism, self-interest or preference
 15 in judgment.
 16 So, I have got a little question. The other
 17 day when you had your map out that we were
 18 bantering around, there wasn't a district in there
 19 for a fellow who I really do like, who happens to
 20 be the Speaker of the Florida House. And I really
 21 do think he is a very fine gentleman, but it seems
 22 awfully weird to me that if we are trying to
 23 protect us from favoritism that you can explain to
 24 anybody that this new amendment isn't a favoritism
 25 or self-interest of a member of the Florida House
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1 to get a Congressional district.
 2 And could you explain that, please?
 3 MADAM PRESIDENT: Senator from the 19th to
 4 respond.
 5 SENATOR LATVALA: Let me respond and further
 6 amplify on the Senator's concerns about
 7 Congressional District 5 and the differences
 8 between that district today and that district as
 9 it was crafted ten years ago, when, by the way,
 10 that incumbent was the Chairman of the Senate
 11 Reapportionment Committee herself.
 12 The hook in that district in the current
 13 configuration that's been in place since 1996
 14 takes that district from Pasco County all the way
 15 up past Gainesville into Columbia County, if I
 16 recall, and has portions, I think, of Levy County,
 17 and so forth.
 18 We believe there's a closer community of
 19 interest in the district that we have drawn which
 20 is heavily retired in its nature. We have large,
 21 Senator Campbell, we have larger, we have large --
 22 we have large retirement communities in Citrus,
 23 Hernando and Pasco Counties stretching over into
 24 east Pasco where we have Zephyrhills, which is
 25 almost all retirees, and we believe there's more
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1 connection between the district that we have drawn
 2 and a district that would have retirees on the
 3 west coast and students at the University of
 4 Florida and one of the youngest average population
 5 counties in the state, which is what Alachua
 6 County is.
 7 The new Congressional District 3 that we
 8 created that goes from Jacksonville to Gainesville
 9 to Orlando has one of the youngest populations in
 10 the state on average and we think that we have
 11 done a good job in keeping our community of
 12 interests together.
 13 SENATOR CAMPBELL: Follow-up.
 14 MADAM PRESIDENT: Senator from the 33rd for a
 15 follow-up.
 16 SENATOR CAMPBELL: I didn't hear an answer,
 17 though, about our favoritism or self-interest with
 18 the Speaker's district. Why are we doing that?
 19 MADAM PRESIDENT: Senator from the 19th.
 20 SENATOR LATVALA: Well, Senator from the
 21 33rd, what I learned when I was in civics in ninth
 22 grade was in the passage of a plan, you have two
 23 houses of the Legislature, you have a House of
 24 Representatives and you have a Senate, and each of
 25 those reviews the facts that they have, reviews
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1 the concerns that they have politically, as well
 2 as in the interest of the incumbents, as well as
 3 the interests of the people that they represent
 4 and come up with their best approach to the matter
 5 at hand. And then we compromise to produce one
 6 final product that can get passed by both of the
 7 houses at the end.
 8 The new Congressional Districts 7 and 24 in
 9 the Orlando area have several distinctive
 10 features.
 11 First of all, if you look at the three
 12 existing districts that touch the Orlando area, as
 13 I recall, the number is -- if you take the current
 14 population in those districts, they are 450,000
 15 people overpopulated. This is a logical place to
 16 put a new Congressional district because that's
 17 where the people are, Senator.
 18 So, in terms of the configuration of the
 19 district, then it is our duty to try to preserve
 20 as many communities of interest as we can.
 21 As you will recall last night when I
 22 explained the amendment, I indicated that we were
 23 trying to tie the agricultural areas in western
 24 Orange and western Seminole Counties where we have
 25 got Zellwood, which is an agricultural center,
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1 features a brand of corn where people throughout
 2 America have heard of and know of, with those same
 3 kinds of agricultural areas out in eastern
 4 Seminole County, and what's in the middle are a
 5 lot of suburbs of people that work in Orlando.
 6 And we have kept a lot of those suburbs together
 7 in the middle and tried to put the agricultural
 8 communities on both sides together.
 9 MADAM PRESIDENT: Senator from the 33rd to
 10 respond.
 11 SENATOR CAMPBELL: You know, it sounds good,
 12 but let me just reiterate that it appears when you
 13 create a district for somebody, possibly for
 14 political reasons, and I just say possibly, it
 15 skews the entire map, meaning that everybody else
 16 in the state of Florida now is going to be
 17 probably not as well represented as either your
 18 original map, which I, as you know, presented an
 19 amendment to try to give the Floridians, the
 20 people of the state of Florida, their true voice
 21 in Congress.
 22 So, I really want to know, I guess I should
 23 ask this question: Was this really a political
 24 payback?
 25 MADAM PRESIDENT: Senator from the 19th.
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1 SENATOR LATVALA: No.
 2 MADAM PRESIDENT: Senator from the 12th, for
 3 what purpose?
 4 SENATOR WEBSTER: Just to follow up on the
 5 answers that were given by the Senator from the
 6 19th and to the Senator from the 33rd.
 7 MADAM PRESIDENT: You are recognized.
 8 SENATOR WEBSTER: Members, I think that as
 9 Senator Latvala said, there's an extensive amount
 10 of growth in east central Florida and along the
 11 east coast. And so, we had a Congressional
 12 District 3 which drove, came straight down that
 13 area and drove that existing district on the coast
 14 very tightly.
 15 When that population expanded, it drove
 16 Congressional District 3 to the center of the
 17 state. That's what is actually driving this other
 18 District 5 that he's asking about, it's because it
 19 wasn't just the fact that coming out of the
 20 Panhandle there were more people than we needed,
 21 it was also because from the east coast it was
 22 pushing to the middle of the state, driving people
 23 there. And in the end I think the districts were
 24 made where they were.
 25 If you think about it, too, there's 640,000
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1 people and every one of us lives in a
 2 Congressional district. Does that mean it was
 3 drawn for us because we are a member of the Senate
 4 or a member of the House and we happen to live in
 5 a Congressional district? No. I think these
 6 districts fell where they fell.
 7 And as the guy, as -- the man that came and
 8 spoke in Jacksonville, I think he said it clearly.
 9 He said, Let the lines fall where they should.
 10 And I believe we did that.
 11 MADAM PRESIDENT: Senator from the 28th, for
 12 what purpose?
 13 SENATOR KLEIN: For a question, Madam
 14 President.
 15 MADAM PRESIDENT: You are recognized.
 16 SENATOR KLEIN: Good morning, Senator.
 17 SENATOR LATVALA: Good morning.
 18 SENATOR KLEIN: I wanted to shift down to the
 19 map to the area where I'm from, which is southeast
 20 Florida, and take a look at District 23.
 21 Twenty-three is a very unusually configured
 22 district which contains some agricultural areas
 23 and then wraps -- if we can get closer in on the
 24 east coast side of that a little bit, please.
 25 That's right. Okay.
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1 If we take a closer look at that, we see the
 2 light blue area and then it wraps around the top
 3 very narrowly with some very thin lines there,
 4 comes down, stops, there is a break and then picks
 5 up again, probably about a couple of miles down,
 6 and then comes back around and connects down on
 7 the bottom there.
 8 And then below that actually, if we can shift
 9 down a little bit to just this southern Broward
 10 County area, we see there is a sliver of a blue
 11 line that then comes in and connects a little box,
 12 which is the middle of another district, which I
 13 think is District 17, and I assume that was
 14 possibly to get Congressman Hastings in his seat.
 15 This map is out of sorts. It breaks all
 16 sorts of communities, cities, county boundaries,
 17 but particularly, city boundaries and communities
 18 of interest. And one of the questions I have is
 19 you have a break in the line on the middle there
 20 on the east coast there by the City of -- let's
 21 see, it looks like Boca Raton, Highland Beach and
 22 Boca Raton, my neck of the woods.
 23 And then it cuts all the way in west so that
 24 it looks like it picks up some Republican pockets,
 25 but this is just a break of all sorts of
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1 communities of interest just to try to achieve
 2 something.
 3 Can you share with me what your thought
 4 process was in designing a district that just goes
 5 on for miles in all sorts of different directions
 6 and breaks up lots of different communities of
 7 interest, African-American in particular?
 8 MADAM PRESIDENT: Senator from the 19th to
 9 respond.
 10 SENATOR LATVALA: Thank you, Madam President.
 11 I think on the contrary, Congressional District 23
 12 was designed to protect communities of interest.
 13 We had a lot of testimony in our hearing with
 14 regard to the constituents of the Congressman
 15 there, both in 23 and in 22, in protecting the
 16 districts of these incumbents and we attempted to
 17 do that.
 18 As a matter of fact, one of our last
 19 amendments the other day, we replaced that
 20 incumbent back into his district, we had
 21 inadvertently removed him from his district, so we
 22 did a special amendment the other day that Senator
 23 Miller initially introduced to make sure that that
 24 Congressman resided in his district.
 25 This district is configured to maintain its
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1 core constituencies in Palm Beach and Broward
 2 Counties. It retains over 68 percent of its
 3 current residents, it continues to be a strong
 4 African-American district with over a 49 percent
 5 African-American voting age population.
 6 It continues to be a strong Democratic
 7 district at 65 percent Democrat and its unusual
 8 shape is necessary to include the current
 9 incumbent in the district and to protect the
 10 neighboring incumbent in proposed Congressional
 11 District 22.
 12 MADAM PRESIDENT: Senator from the 28th as a
 13 follow-up.
 14 SENATOR KLEIN: Thank you for a follow-up.
 15 Senator, there is a particular specific area that
 16 I want you to focus on, because this is a direct
 17 break of community of interest. It is the break
 18 in the district between Delray Beach and Deerfield
 19 Beach.
 20 That seat looks like it breaks it to allow
 21 the 22nd District to cut into some west Palm Beach
 22 County, Parkland areas to pick up Republican
 23 areas. But specifically, my specific concern is
 24 the communities of interest within Delray Beach
 25 and Deerfield Beach where this Congressman
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1 currently represents African-American communities,
 2 and I know the area very well, there's some Dixie
 3 Manor areas along Dixie Highway, there's some
 4 communities there of Haitian members, but
 5 particularly a lot of African-Americans in that
 6 area, and they are being cut out of their district
 7 in order to allow this District 22 to cut across
 8 the line there.
 9 And I have a specific concern about this
 10 break right here because this does isolate a group
 11 of African-Americans that are otherwise
 12 represented currently by Congressman Hastings.
 13 Can you address why you wanted to cut that
 14 group of African-Americans out of their current
 15 Congressman, Congressman Hastings?
 16 MADAM PRESIDENT: Senator from the 19th to
 17 respond.
 18 SENATOR LATVALA: You know, we have a number
 19 of districts down there that were configured ten
 20 years ago by the Florida Supreme Court, I think it
 21 was Federal courts, and we have endeavored to keep
 22 the shapes of those districts and protect the
 23 existing incumbent Congressman.
 24 We have retained in Congressional District 23
 25 its core constituency, we have retained that
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1 district as a strong Democratic district and we
 2 have retained its African-American population at
 3 49.3 percent.
 4 MADAM PRESIDENT: Senator from the 28th for a
 5 follow-up.
 6 SENATOR KLEIN: Thank you, Madam President.
 7 I hear your general comments, Senator, but I
 8 strongly disagree with the specific area that I
 9 spoke with you about between Delray Beach and
 10 Deerfield Beach.
 11 The people there, the African-American
 12 communities there, are represented by Congressman
 13 Hastings right now. It is a group that shares
 14 communities of interest from everything from
 15 health care needs, housing needs, education needs,
 16 transportation needs within this community. I
 17 know, I live nearby. And their Congressman is now
 18 going to be moved out of their area.
 19 It is a natural alliance, it continues and
 20 was supported by the Court ten years ago, and I
 21 have very significant concerns that that is a
 22 break and a break of what our principles are in
 23 terms of legal principles and, you know, the
 24 appropriate, common sense thing to do to allow
 25 these people to continue to be represented by
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1 their Congressman.

2 MADAM PRESIDENT: Senator from the 14th, for
3 what purpose?

4 SENATOR DYER: Question of the sponsor of the
5 bill.

6 MADAM PRESIDENT: You are recognized.

7 SENATOR DYER: Thank you, Madam President.
8 Senator from the 19th, I wanted to follow up on
9 the issue of fairness. And I think you and I and
10 everybody else knows that Florida is pretty much a
11 50/50 state when it comes to Federal elections.

12 We have -- actually we have two Democratic
13 United States Senators and in the presidential
14 election, I think, we all have to concede or agree
15 that it was pretty much 50/50.

16 But as I look at this plan, it gives
17 Republicans control over 17 of the 25 seats. And
18 I don't think that could possibly be construed as
19 a fair map. And if you look back at the 2000
20 election, George Bush carried 12 of the 23
21 districts and Al Gore carried 11 of the 23
22 districts.

23 Under this map, George Bush would have
24 carried 17 of the districts and Al Gore carries 8
25 of the districts. How can that possibly be a fair

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1 I think, if I'm not mistaken, the Senator
2 from the 4th District, who is a Democratic member
3 of this chamber, holds a seat which voted for
4 George W. Bush. So, you know, politics is local,
5 and it doesn't necessarily mean that people vote
6 in one election the way they vote in another
7 election.

8 SENATOR DYER: Madam President, for a
9 follow-up on that.

10 MADAM PRESIDENT: You're recognized.

11 SENATOR DYER: And I don't disagree with
12 that, that many people will vote one way in a
13 presidential election and one way in a
14 Congressional, and another way in an Attorney
15 General race, for instance.

16 However, I was actually looking more at the
17 performance in the presidential election when I
18 was speaking of the fact that George W. Bush
19 carried 12 of the districts and Al Gore carried 11
20 and we had changed the performance within those
21 districts to be more beneficial toward Republican
22 candidates is the fairness that I'm talking about.

23 SENATOR LATVALA: Senator, we had to take
24 into account a lot of things. If you could just
25 look at a map and look at politics, that's one

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1 map?

2 MADAM PRESIDENT: Senator from the 19th to
3 respond.

4 SENATOR LATVALA: Senator from the 14th, to
5 remind you that under the map which was drawn by
6 the Federal courts ten years ago, we had 15
7 Republican Congressmen and 8 Democratic
8 Congressmen. Out of 23, we still had the 8-person
9 spread.

10 I think your remarks that you just made were
11 talking about 17 and 25. We have got the same
12 kind of spread in the new map. So, we -- even if
13 the presidential election had a certain number of
14 votes cast by party, we had even under the old
15 map, established by the Federal courts, we had a
16 disparity in who held which seats.

17 As you know, politics is a local matter. A
18 lot of us hold seats. I happen to hold a seat
19 that voted for George W. Bush, but yet I have been
20 a Republican member of this Senate for eight
21 years. A number of our Democratic members such
22 as -- did I say I held a seat that voted for
23 George W. Bush? I meant that I held a seat that
24 voted for Al Gore, so I hold a Republican seat
25 that went Democratic.

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1 thing, but we are charged with the responsibility
2 of looking at a number of things.

3 We had to look at our public testimony. In
4 many cases, the public testimony has -- in most
5 cases, in my opinion, they have supported the way
6 we have done this map. We looked at communities
7 of interest, existing communities of interest. We
8 looked at protection of the incumbents.

9 Under a map that would be more equally
10 dispersed according to presidential, we would not
11 have been able to protect incumbents, perhaps.
12 And that's one of the factors that's allowed by
13 the Courts, in terms of drawing a Congressional
14 map, is incumbent protection.

15 MADAM PRESIDENT: Senator from the 14th.

16 SENATOR DYER: For another follow-up. Then
17 we protected the incumbents, apparently, in 23 of
18 the districts and we have two new districts, which
19 are Districts 24 and 25, both of which either lean
20 or are heavily leaning Republican districts.

21 How is it fair in a 50/50 state for the two
22 new seats, the two new open seats, to both be
23 apparently Republican seats?

24 SENATOR LATVALA: Well, Senator, as I had
25 stated earlier, in your area, and, of course, you

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1 know your Orlando area quite well and know the
2 growth in that area, the three Congressional
3 districts that currently exist from the 1996 map
4 have over 450,000 in overpopulation. Those
5 450,000 people needed a new district, that's well
6 more than half of a new district.

7 The other area of the state that was
8 substantially, where the districts are
9 substantially overpopulated is in the south
10 Florida area where we put the other district.

11 MADAM PRESIDENT: Senator from the 14th.

12 SENATOR DYER: Thank you, Madam President.
13 Senator from the 19th, let's move on to those
14 couple of districts in my area because that is the
15 one I know, or the area that I know a little bit
16 about.

17 And I was looking at District Number 7 and
18 District Number 24 and the current District 7 is
19 largely eastern Seminole County and Volusia
20 County, and you have maintained that in large
21 part, which you have tried to do with this map, is
22 to protect incumbents and keep them within the
23 confines of their district.

24 Can you tell me which district is drawn to
25 protect Congressman Mica and keep him within the
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1 pretty much communities of interest all down the
2 eastern coast and then had District 7 running more
3 inland and I heard your straight-faced explanation
4 relating to the ag communities being joined up.

5 But how is this new map better in terms of
6 joining communities of interest than the last map
7 that you made the amendment to or changed from?

8 MADAM PRESIDENT: Senator from the 19th to
9 respond.

10 SENATOR LATVALA: In District 24, we have
11 united and kept together the coastal communities
12 in Volusia and Brevard Counties. For instance,
13 the Cape Canaveral National Seashore, which is a
14 large national treasure, sort of on par, I think,
15 in a lot of people's minds with the Everglades.

16 We have also kept much of the space industry
17 in that same area and combined that with the
18 high-tech, merging high-tech occupations and
19 businesses in eastern Orange County and in Volusia
20 County.

21 And I think that -- it is a high growth area
22 and that's where the people are that needed to be
23 in a district.

24 SENATOR DYER: So then, you are matching up
25 the ag community in western Orange County with the
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1 confines of his district?

2 MADAM PRESIDENT: Senator from the 19th.

3 SENATOR LATVALA: Congressional District 7
4 retains the core of Seminole and Volusia Counties
5 that is currently in Congressman Micca's district.

6 SENATOR DYER: And could you tell me, I see
7 it, that that district picks up a little bit of
8 Orange County, down at the bottom, District 7.
9 What does that do?

10 SENATOR LATVALA: That's where Congressman
11 Mica lives.

12 SENATOR DYER: And which district does
13 Congressman -- or Speaker Feeney live in?

14 MADAM PRESIDENT: Senator from the 19th to
15 respond.

16 SENATOR LATVALA: Can we zoom in on that map
17 a little closer and I will see if I can recall. I
18 think the Speaker has several homes, but to the
19 best of my knowledge, I think he's in House
20 District 24, Congressional District 24.

21 MADAM PRESIDENT: Senator from the 14th for
22 follow-up.

23 SENATOR DYER: One last question. The last
24 map that you had before this one, which I think
25 was 15, had a coastal district that I thought had
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1 high-tech space industry?

2 SENATOR LATVALA: No, there's two communities
3 of interest -- or several communities of interest,
4 actually. We have the coastal community of
5 interest, we have the high-tech community of
6 interest and we also have the agriculture
7 community of interest.

8 What we have done -- and the interior
9 residents, obviously, have a lot of different
10 concerns, and we have put those interior residents
11 largely in Congressional District 7, which is
12 currently represented by Congressman Mica.

13 SENATOR DYER: Thank you, Madam President.

14 MADAM PRESIDENT: Thank you. Senators, I
15 have written down the names as I have seen the
16 hands. I have the Senator from the 32nd, then the
17 Senator from the 34th, then the Senator from the
18 35th and then the Senator from the 2nd.

19 Senator from the 32nd, for what purpose?

20 SENATOR WASSERMAN-SCHULTZ: For a question,
21 and, Madam President, I just wanted to inquire, if
22 I have debate, are we doing that after questions?

23 MADAM PRESIDENT: We are in discussion and
24 debate right now.

25 SENATOR WASSERMAN-SCHULTZ: Okay. Well,
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1 first, I have a question.

2 MADAM PRESIDENT: You are recognized.

3 SENATOR WASSERMAN-SCHULTZ: Thank you, Madam

4 President. If we could focus on Congressional

5 District 20. Senator from the 19th, in

6 Congressional District 20, if you focus on the

7 area -- well, you don't have city names up on that

8 map. Do you have a computer closer to you where

9 you can see the city names, Senator?

10 If you start in Sunrise and swing down, there

11 is a very bizarre, I don't know even what to call

12 it, an arm, a loop, that swoops under I guess what

13 would now be Congressman Hastings' district, a

14 snake, there we go. "Snake" works.

15 A snake that snakes underneath that district

16 that goes from Sunrise down through Melrose Park,

17 up to Ft. Lauderdale and up through Wilton Manors.

18 None of this which is in Congressman Deutsch's

19 current district, and it doesn't seem to make any

20 sense to connect the areas of west Broward,

21 southeast Broward, northeast Dade and the beaches

22 and this snake up through Wilton Manors.

23 Can you tell me what the logic was behind

24 that? Because this piece of the district was not

25 in any of the previous maps. It was in the map

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1 the other day, but it suddenly appeared. And I

2 just wondered what connection that snake has with

3 the rest of the district.

4 SENATOR LATVALA: Well, perhaps, to answer

5 that question fully, it would help if we put the

6 map of the current Congressional District 20 up on

7 the screen. Is that possible? Can you do it in

8 color of the current districts as opposed to this

9 map? Because, I think to understand how more

10 compact we have made that district, you need to

11 look at where it has been for the last ten years.

12 That district has been in three counties over

13 the last ten years, we have pulled it back into

14 two counties. Currently, that district, if you

15 look, goes -- zero in on south Florida in the

16 current district, on the left-hand side. Okay.

17 Move it over a little bit.

18 See, we start up in Broward County right

19 there, then we go up the interior of Miami-Dade

20 County through -- well, bring it back up. We come

21 down there and then that district curls like a

22 snake under two other districts. Can you zero in

23 on where it curls under the districts in

24 Miami-Dade? And comes back up and includes some

25 of the coastal area, I think almost as high as

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1 Coconut Grove there.

2 So, what we have done is we've taken a

3 district which currently goes over 200 miles, or

4 approximately 200 miles long, and substantially

5 compacted that, we've reduced the number of

6 counties that it was in and I think we have done a

7 much better job of making that district

8 serviceable by its incumbent Congressman.

9 And we have maintained the incumbent

10 Congressman in the district as a resident, we have

11 retained a number of the communities that were

12 pointed out by the incumbent Congressman in his

13 district.

14 MADAM PRESIDENT: Senator from the 32nd.

15 SENATOR WASSERMAN-SCHULTZ: Thank you, Madam

16 President. But to more specifically ask you to

17 focus in on my question, A, I don't agree that you

18 have made the district more compact. In fact, the

19 district is more far flung in terms of seeming to

20 reach out and pick communities that do not have

21 much to do with each other.

22 In response to what you said, the current

23 Congressional District 20 has a much more massive

24 connection wrapping around in one piece, and what

25 you are doing in new Congressional 20 is you're

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1 literally taking tiny snakelike arms like the one

2 that I'm talking about to reach through pieces of

3 the communities of Broward. And I just would like

4 to know in that particular part of the snake, why

5 did you do that?

6 That's not in the current Congressman's,

7 Congressman Deutsch's district. I don't really

8 understand why you would have snaked through that

9 part of central Broward on up to Wilton Manors.

10 So, can you explain to me the specific

11 reason that you chose to do that?

12 MADAM PRESIDENT: Senator from the 19th, to

13 respond.

14 SENATOR LATVALA: Can we zero in on the area

15 that the Senator is talking about a little bit so

16 we can see -- we can't see the city names from

17 here. I'm trying to recall what factors we looked

18 at.

19 I know that on the left-hand side of the

20 district we did a lot of work, some of which was

21 coordinated with the Congressman, as the Senator

22 knows, in putting some of the retired

23 constituencies, condominium dwellers, and so

24 forth, back into the district, who are reliably

25 Democratic voters in this reliably Democratic

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1 district.

2 It could be, and I believe this is one of the
3 areas that we accepted from the House map in the
4 conference or the compromise situation, it could
5 be that we were trying to keep in those reliably
6 Democratic constituencies in District 20.

7 MADAM PRESIDENT: Senator from the 32nd for
8 follow-up.

9 SENATOR WASSERMAN-SCHULTZ: Thank you, Madam
10 President. Senator from the 19th, the communities
11 that you have actually gone through to pick up and
12 swoop around and pick up Wilton Manors on the
13 easternmost part of that district are not reliably
14 Democratic.

15 In fact, if you put the red and blue up on
16 those communities, those districts are more
17 marginal than the western Broward portion of the
18 district. It appears as though -- well, let me
19 ask you for specifically.

20 The population that you picked up in Wilton
21 Manors and along that end part of the snake that
22 swoops around that district, the piece that you
23 seemed to have picked up, because I'm from Broward
24 County and I'm familiar with the area, have large
25 pockets of neighborhoods of people who have a
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1 Senator ever entered into of any kind anyplace.

2 MADAM PRESIDENT: Senator from the 32nd for a
3 follow-up.

4 SENATOR WASSERMAN-SCHULTZ: Thank you, Madam
5 President. I guess you are -- and I won't belabor
6 the point, but, I mean, I know you are trying to
7 give me a satisfactory answer on why you would
8 have -- it just looks weird. I mean, it doesn't
9 seem to make sense to pick up that snake piece of
10 Congressional District 20 and I can't seem to get
11 a clear understanding as to why you went through
12 and picked those communities up.

13 And it would seem to be for a specific
14 reason, somebody it appears may have done it for a
15 specific reason. Perhaps, at some point, if you
16 could let me know more specifically I would
17 appreciate it.

18 Madam President, is now an appropriate time
19 for debate or should I wait?

20 MADAM PRESIDENT: We have some Senators here,
21 Senators from the 34th, 35th and 2nd who have
22 questions, so if you want to hold off on your
23 debate.

24 SENATOR WASSERMAN-SCHULTZ: No problem.

25 MADAM PRESIDENT: Senator from the 34th, for
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1 different sexual orientation than the rest of the
2 parts of Broward.

3 And it appears as though, perhaps, you have
4 chosen to swoop up and pick those communities up
5 so they are not in the incumbent Congressman in
6 District 22's district. I can't really think of
7 another reason why you would go specifically out
8 and pick up those communities for another reason.

9 So, do you have a reason other than that that
10 you went in and picked out those communities?

11 SENATOR LATVALA: Senator, you have me at a
12 disadvantage. I have absolutely no idea what you
13 are talking about. We had no consideration of
14 that in any conversation that I've had in this
15 whole, entire process.

16 I would suspect that if that is the case,
17 then it would have been done based on them being
18 reliably Democratic voters and based on voting
19 history. Obviously, this is a huge state and we
20 get down to specific neighborhoods into specific
21 counties, if you want to ask me some questions
22 about certain neighborhoods in Pinellas County, I
23 would be happy to try to answer them, but I can't
24 give you every specific -- other than to tell you
25 that that was not a consideration that this
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1 what purpose?

2 SENATOR DIAZ de la PORTILLA: For a question.

3 MADAM PRESIDENT: You're recognized.

4 SENATOR DIAZ de la PORTILLA: Thank you,
5 Madam President. Senator, I've heard you say, use
6 the term "communities of interest" many, many
7 times. So much that I can probably hear it in my
8 sleep now.

9 Let me ask you, when you were drawing these
10 maps, how did you, in your mind, define
11 "communities of interest"?

12 MADAM PRESIDENT: Senator from the 19th to
13 respond.

14 SENATOR LATVALA: I think generally those
15 would be socioeconomic factors, political factors,
16 voting history, occupation, business, you know,
17 that kind of thing.

18 MADAM PRESIDENT: For a follow-up.

19 SENATOR DIAZ de la PORTILLA: If we could
20 focus in Congressional District 25 in south
21 Florida. Put it up on the screen, Madam
22 President. Senator, you took Congressional
23 District -- when you drew Congressional District
24 25, you took the western part of Miami-Dade County
25 and you took us all the way to the west coast of
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1 Florida.

2 What was your reasoning for creating -- where
3 did you find communities of interest in creating
4 that district?

5 MADAM PRESIDENT: Senator from the 19th.

6 SENATOR LATVALA: I think the communities of
7 interest are obvious in this district. This
8 district includes populations with some very
9 significant Federal concerns, not the least of
10 which is the Everglades' restoration, flood
11 control, water management, coastal issues, and so
12 forth. I think it's very obvious what ties that
13 district together.

14 MADAM PRESIDENT: Senator from the 34th for a
15 follow-up.

16 SENATOR DIAZ de la PORTILLA: Thank you,
17 Madam President. Besides the fact that the
18 Everglades was a natural barrier that separates
19 this district -- well, it's right in the middle of
20 this district, what does Hialeah and Miami Lakes
21 and Duval have in common with Immokalee and west
22 Naples?

23 MADAM PRESIDENT: Senator from the 19th.

24 SENATOR LATVALA: Well, again, you have me at
25 a slight loss in that you are from this area, but

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1 that they were included with is the closest and
2 from that standpoint, though, they had to pick up
3 population from somewhere, yet this, in a lot of
4 ways, is a Federal district.

5 MADAM PRESIDENT: Senator from the 34th for a
6 follow-up.

7 SENATOR DIAZ de la PORTILLA: Probably a
8 question for the Senator from the 12th, because I
9 attended the public hearings that we had in Naples
10 and Ft. Myers and you attended all of them, I
11 don't know how you put up with that but you did,
12 21 of them. And I don't know if the Senator from
13 the 19th was there.

14 And I think we had nearly 200 people that
15 testified in both the Naples and Ft. Myers' public
16 hearings and I think almost every single one of
17 them, probably all of them, had one common theme,
18 if you remember, Senator: We don't want to be put
19 together in a district in Dade County. We don't
20 want to be in the same district with Dade County,
21 or Broward County, for that matter.

22 Did you take into account any of that public
23 testimony of nearly 200 people saying they didn't
24 want to be in a district with west Dade County?

25 MADAM PRESIDENT: Senator from the 12th to

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1 my understanding and my experience from coming and
2 going somewhat in these areas is that there is a
3 large agricultural contingent that would connect
4 the inland areas of Collier County with the
5 western and southwestern areas of Miami-Dade
6 County that are included in this district.

7 MADAM PRESIDENT: Senator from the 12th as
8 the full committee Chair, do you want to help
9 answer the question?

10 SENATOR WEBSTER: Thank you, Madam President.

11 Only from a public testimony standpoint. There
12 are a lot of places that we went to, especially in
13 the rural areas, who realized that they had to be
14 combined with some populations inland, because
15 there is no way they were going to be able to be
16 combined with just their community of interest.

17 Therefore, when you take that area, and a lot
18 of the people there and in other places said, We
19 have fewer State issues than we have Federal
20 issues, and therefore, we would like to be
21 included in a Federal district, not necessarily a
22 State district. But there are so few in
23 population, that they had to go somewhere.

24 And I think that -- I think the natural
25 picture of that is that these -- the population

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1 respond.

2 SENATOR WEBSTER: Thank you, Madam Chair.
3 Yes, the people came and they also had a
4 Congressional map. And in that map, the
5 combination of Lee and Collier counties was
6 accomplished; however, even the map that they drew
7 that they were supporting took a part, a part of
8 one of those counties and put it somewhere.

9 Those people came and said, We don't want to
10 be that part, could it be somewhere else? We had
11 to choose someone from that area to not be
12 included in the Lee/Collier seat. And even the
13 people that came and testified, even the -- I
14 think there were those on both sides, sort of, of
15 the political spectrum who came and testified, but
16 all of them said, We realize that some part of Lee
17 or Collier County must be included somewhere else,
18 but please keep the majority of us whole.

19 And I believe that's what Senator Latvala has
20 done.

21 MADAM PRESIDENT: Senator from the 34th for a
22 follow-up.

23 SENATOR DIAZ de la PORTILLA: Thank you,
24 Madam President. Maybe the Senator from the 12th
25 can answer this question. Obviously, you can have

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1 different communities of interest within a
 2 Congressional District that's over 600,000 people
 3 and you have to have different communities of
 4 interest in it.
 5 How many communities of interest, do you have
 6 9, can you have 10, can you have 20 before it goes
 7 from communities of interest in one district to
 8 being political gerrymandering?
 9 MADAM PRESIDENT: Senator from the 12th to
 10 respond.
 11 SENATOR WEBSTER: Well, I don't know that I
 12 would be able to specifically say that. I think
 13 gerrymandering is more determined by an
 14 unusual-looking district where there's no
 15 communities of interest also.
 16 So, I think there's several factors that go
 17 into what a gerrymander is. But I think in this
 18 particular case, there is a natural picture and I
 19 think even if you look at the map, it looks good.
 20 But also, the fact that, because there is a rural
 21 area there, which has a lot of commonality, and
 22 that is certainly a community of interest, that
 23 one particular area is not enough.
 24 Even if you combined every other area in the
 25 state, you cannot get enough population for a
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1 Congressional district. Therefore, the natural
 2 place to do it would be either to the east or
 3 west. The west and the east coast said, Don't do
 4 it, so, we went halfway and this doesn't go all
 5 the way to the coast, it goes into Dade County,
 6 which seems like it works perfectly.
 7 MADAM PRESIDENT: Senator from the 19th to
 8 respond.
 9 SENATOR LATVALA: Thank you, Madam President.
 10 There's two other factors I want to mention here.
 11 One is that the current District 14 which includes
 12 Collier and Lee Counties needed to lose 151,000
 13 people. In other words, it was overpopulated by
 14 that much. Just Lee and Collier together was
 15 overpopulated by somewhere in the neighborhood of
 16 50,000 people, so that wouldn't necessitate a
 17 split of one of those counties.
 18 One of the factors we used to determine which
 19 county would be split was the fact that Collier
 20 and Monroe Counties are protected by Section 5 of
 21 the Voting Rights Act; therefore, it's important
 22 to avoid retrogression.
 23 Collier County is currently included in
 24 Congressional District 14, which has a total
 25 minority voting age population of about
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1 16 percent. The proposed Congressional District
 2 25 has a total minority voting age population of
 3 about 77 percent; thus, the minority Voting Rights
 4 are protected.
 5 MADAM PRESIDENT: Senator from the 34th for a
 6 follow-up.
 7 SENATOR DIAZ de la PORTILLA: Thank you,
 8 Madam President. Probably the Senator from the
 9 19th can answer this one.
 10 If we go to the eastern part of the district,
 11 it goes all the way from the Broward/Dade County
 12 line all the way south. As you go south, you
 13 split, and I'm counting probably nine or ten
 14 different cities, in going south, you split
 15 Hialeah in half, or three-quarters on one side and
 16 one-quarter on the other, Miami Lakes in half,
 17 Kendall in half, you go up to Cutler Ridge and
 18 split it in half.
 19 If the goal is to keep communities of
 20 interest, and without having to give me details of
 21 whether you know the area or not, obviously when
 22 you are splitting cities, artificial political
 23 boundaries, but nonetheless, communities of
 24 interest, but, nonetheless, a community of
 25 interest, when you are splitting cities up, I
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1 mean, what was the reason and your thought process
 2 when you decided to divide all of these
 3 communities from north to south?
 4 And the last time I counted, I mean, this is
 5 a very general -- 11 different cities that you
 6 split in half, one goes to one district, the other
 7 one goes to another district.
 8 And on the west side, you split up four or
 9 five cities, one going to the west side and then
 10 the other to the east side.
 11 Why split those communities of interest
 12 instead of keeping them together?
 13 MADAM PRESIDENT: Senator from the 19th.
 14 SENATOR LATVALA: There's a number of factors
 15 that come into play. One is that we have to have
 16 zero deviation mandated by the Supreme Court's one
 17 person, one vote rule.
 18 A second one is the protection of the
 19 existing districts, the concerns about the
 20 existing districts. I think we arrived on the
 21 west side of the district sort of along the
 22 boundary of I-75 so it would be an easily
 23 understood and recognizable boundary in Collier
 24 County.
 25 I think the other factor would be to consider
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1 the appearance of this map as opposed to the map
2 that was drawn ten years ago by the courts. And
3 as you will recall, there's a number of factors in
4 Miami-Dade County on the current map that aren't
5 pretty to look at either, and I think we did a
6 better job of squaring up some things in
7 Miami-Dade County.
8 We don't have one district with a long tail
9 and another district wrapped all the way around it
10 and some of the things that are in the current
11 map.
12 MADAM PRESIDENT: Senator from the 34th as a
13 follow-up.
14 SENATOR DIAZ de la PORTILLA: If you can
15 answer my question. Why did you split up ten
16 different cities in Dade County, one going to one
17 Congressional district and one going to another?
18 I mean, what was your thought process in doing
19 that? Straight down the middle, three of them
20 straight down the middle. Why?
21 MADAM PRESIDENT: Senator from the 19th.
22 SENATOR LATVALA: Senator, in the process of
23 working out the map with the House of
24 Representatives, we tended to know more about our
25 respective areas of the state, and in the
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1 Miami-Dade County area, Senator -- I mean, former
2 Senator Diaz-Balart is obviously the Chairman of
3 the House committee on Congressional
4 redistricting, provided a lot of guidance in the
5 decisions that were made there and, you know, I
6 provided more guidance in the decisions that were
7 made in, for instance, west central Florida.
8 So, we tried to collaborate as well as
9 possible, but I think that all of the factors that
10 I mentioned went into making the decisions that we
11 made.
12 MADAM PRESIDENT: Senator from the 34th.
13 SENATOR DIAZ de la PORTILLA: Thank you,
14 Madam President. The reason I'm asking these
15 questions, Senator, is because I think it's very,
16 very important that, from my perspective at least,
17 being Cuban-American, that we have an additional
18 representative in Congress. I think it's
19 important for our community to have a
20 Cuban-American Congressman.
21 And I want to make sure that if this plan
22 goes to court, we can defend it legally. That's
23 why I wanted to know what you were thinking when
24 you were doing things, and do you think we can
25 defend this plan when we go to court if, in fact,
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1 we do go to court, which we probably will, to
2 ensure that in fact we have another Cuban-American
3 Congressman in Washington?
4 SENATOR LATVALA: Yes, and I'm proud of the
5 fact that we have added two majority minority
6 districts to the Congressional map in Florida.
7 SENATOR DIAZ de la PORTILLA: Thank you,
8 Madam President.
9 MADAM PRESIDENT: We'll have the Senator from
10 the 35th, then the Senator from the 2nd, and then
11 the Senator from the 29th.
12 Senator from the 35th, for what purpose?
13 SENATOR ROSSIN: For a question, Madam
14 President.
15 MADAM PRESIDENT: You are recognized.
16 SENATOR ROSSIN: Senator, sometimes,
17 political deals -- or political deals generally
18 are looked on with great concern by the public and
19 by the press, but sometimes, political deals make
20 sense for the citizens of Florida and are good
21 things for the citizens of Florida.
22 Wouldn't you agree that a trade, a trade for
23 tax reform, which is something that will benefit
24 people for the next two or three decades, wouldn't
25 you agree that a trade for tax reform and all we
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1 had to give up was a Congressional map that gave
2 the Speaker of the House a district, wouldn't you
3 agree that was a good trade?
4 MADAM PRESIDENT: Senator from the 19th.
5 SENATOR LATVALA: I think the Senate makes
6 decisions based on public policy and what's best
7 all the way around, Senator, as you know, because
8 you sit there when we make those decisions a lot
9 of times.
10 And I think that our total package of issues
11 that we are resolving at the end of the session is
12 in its totality good for the people of the state
13 of Florida. I also want to point out that ten
14 years ago, the Legislature failed to do this job
15 and left it to the courts.
16 And my objective, and Senator Webster's
17 objective and the House's, and Senator Laurent's
18 objective was to not fail to perform the job that
19 was specified in the Constitution for us to
20 perform.
21 MADAM PRESIDENT: Senator from the 35th as a
22 follow-up.
23 SENATOR ROSSIN: So, I guess your answer is,
24 yes, that this is a good thing.
25 SENATOR LATVALA: As Senator Campbell would
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1 say, Question asked and answered.
 2 MADAM PRESIDENT: The Senator from the 2nd,
 3 for what purpose?
 4 SENATOR HOLZENDORF: Question.
 5 MADAM PRESIDENT: You're recognized.
 6 SENATOR HOLZENDORF: Hard act to follow. I
 7 just wish I had Senator Latvala's facial muscles
 8 so I could keep a straight face when I do some of
 9 these questions.
 10 Senator Latvala, my question is about
 11 northeast Florida and why it was necessary to go
 12 from Duval County to Leon County to create a
 13 Congressional district. Because -- if you can
 14 answer that then I'll ask my next question.
 15 MADAM PRESIDENT: Senator from the 19th.
 16 SENATOR LATVALA: Well, frankly, I do know
 17 something about Duval County, and I do know
 18 something about the nature of Jacksonville and the
 19 people who live in Jacksonville because I lived
 20 there for a number of years, many years ago.
 21 And I think there's, frankly, more connection
 22 between Jacksonville and some of the interior
 23 counties in terms of economics, in terms of people
 24 who live in the interior counties and who work in
 25 Jacksonville, in terms of transportation mode with
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1 the railways and the highways, the arteries from
 2 the port in Jacksonville that go to the west along
 3 Interstate 10, the connection between the pulp
 4 mills in Duval and Nassau Counties with the pulp
 5 suppliers in the interior counties then, frankly,
 6 there was between Jacksonville and major tourist
 7 destinations to the south.
 8 Jacksonville is a wonderful place, but a
 9 tourist destination usually it is not. So, we
 10 tried to retain those communities.
 11 SENATOR HOLZENDORF: Senator, I understand
 12 that, but would you tell me the commonality
 13 between Baker, Union, Bradford and Columbia
 14 Counties, where most of the population there is
 15 either prisoners or the families of prisoners or
 16 the people who work at the prison?
 17 So, how does that connect with Duval County,
 18 Nassau County, which are, although they may be
 19 rural, are tourist kinds of counties, and you are
 20 connecting them there?
 21 This is the very essence of what the Court
 22 threw out in the district that was drawn for
 23 Representative Coreen Brown when that district
 24 snaked through those counties in order to get into
 25 Alachua County. And I just want to remind you
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1 that that is the one district that the Courts did
 2 draw.
 3 MADAM PRESIDENT: The Senator from the 19th.
 4 SENATOR LATVALA: Well, Senator, I'm glad
 5 that on our last day in regular session here
 6 together, you asked that question. Because
 7 actually what the Court threw out was this, okay?
 8 This, which is like an inverted wishbone or
 9 something, I'm not even sure what that is, and
 10 there's nothing on our map that looks like that.
 11 The new --
 12 MADAM PRESIDENT: Senator from the 2nd, let
 13 the Senator from the 19th answer, please.
 14 SENATOR LATVALA: The new 3rd Congressional
 15 District which you see up on the map there has --
 16 it retains the communities of interest that we had
 17 a lot of testimony between Jacksonville, which is
 18 about 250,000 people in the district, and Orlando,
 19 which is about 220,000 people in the district, and
 20 added to that the reliably Democratic voters in
 21 Gainesville to keep that a reliably Democratic
 22 district.
 23 But what was there before was -- went all the
 24 way into Marion and Levy and Alachua Counties, up
 25 into Columbia, and then still had the other tract
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1 that went down into Orange County. So, what we
 2 have designed looks nothing like the district that
 3 was thrown out by the Courts.
 4 MADAM PRESIDENT: Senator from the 2nd as a
 5 follow-up.
 6 SENATOR HOLZENDORF: Thank you. Senator,
 7 would you keep the map up there, because what you
 8 have drawn looks exactly like what the Courts drew
 9 taking off the west end of it.
 10 Now, if you take off the west end of that
 11 district, which is over here, take that off, then
 12 look at the district that the Court drew, which
 13 comes from Duval County, straight down to Orange
 14 County. What you have done is found a new way to
 15 go into Leon County.
 16 We knew the Court was going to throw that
 17 district out, and that district was drawn and put
 18 into place by the Court. But we knew once it was
 19 challenged, it would fall out of place.
 20 The only reason that you have to draw
 21 Congressional District 3 as it is on there is to
 22 create, I guess, it is Congressional District 7.
 23 Because, if you were -- if you are talking about
 24 the number of people and the explosion of growth,
 25 then Congressional District 4 could have
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1 absorbed -- lost some of that population, and
 2 those district configurations could have been
 3 retained and you would have retained a minority
 4 district for Congressional District 3.

5 Now, this is blatant gerrymandering. It is
 6 the reason that African-Americans and minorities
 7 had to go to court to get districts of their own
 8 is because prior to African-Americans being
 9 elected to Congress, the districts were
 10 gerrymandered for some reason.

11 There is no reason with the population in
 12 Duval County, Nassau County, St. Johns County,
 13 Clay County for there to have to be a district
 14 that stretches from Duval County to Leon County,
 15 because there's enough population there to draw
 16 those Congressional districts even if you carve
 17 out, even if you carve out, Senator, the minority
 18 piece to create a majority minority district that
 19 has performed in its current configuration, that's
 20 been cleared by the Department of Justice and by
 21 the courts.

22 So, I guess my question is, Why do you need
 23 to snake a district from St. Johns County to
 24 Flagler County to Volusia County, to whatever the
 25 next county is, and it is not a majority minority

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1 district?

2 For what purpose would you do that when you
 3 had a majority/majority representing that area in
 4 a compact district?

5 MADAM PRESIDENT: Senator from the 19th to
 6 respond.

7 SENATOR LATVALA: Let me -- I don't even know
 8 where to start in answering all of those concerns,
 9 Senator Holzendorf, and I'm sure I won't do it
 10 adequately, but let me try to begin.

11 First of all, we have maintained exactly,
 12 down to the tenth of a percentile, the
 13 African-American voting age population in that
 14 district because the law does not allow
 15 retrogression. We have maintained that at
 16 46.2 percent in a different design, but we have
 17 maintained the voting age percentage exactly.

18 We have, I believe, reduced the number of
 19 counties that district goes in. We have kept --
 20 we are consistent with the testimony in the
 21 Orlando and Jacksonville public hearings about the
 22 need to keep Jacksonville and Orlando together and
 23 protect that incumbent who has done a great deal
 24 for especially the transportation interest between
 25 those two counties.

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1 I wouldn't want to confuse anyone with -- and
 2 perhaps I was a little confused, but let's just
 3 review on this. I think you said the current
 4 district is like the old district that the Court
 5 threw out, except that we cut off the eastern
 6 side, or something like that -- or the western
 7 side.

8 Well, part of the concern about this map was
 9 that there were two sides. In the current map
 10 that we are proposing, there's only one side.
 11 There is just one group of population that sort of
 12 goes like this, okay, but it doesn't have these
 13 two tentacles.

14 Right now, it goes like this. This district
 15 that goes like this currently was not drawn by the
 16 Courts, it was drawn by this Legislature in 1996,
 17 I think it was, and it was a consent, a decree.

18 The Court, in the consent decree, to the best
 19 of my knowledge, and I think Senator Webster read
 20 it to me at one point in time, did not actually
 21 approve the district. Am I right about that,
 22 Senator Webster? They just dismissed the case
 23 after we had resolved the problem. So, the
 24 Legislature fixed the problem and the case was
 25 dismissed after all the parties consented to have

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1 it dismissed.

2 The reason for coming out of St. Johns or St.
 3 Augustine, and by the way, this map, this new
 4 district, does not go through St. Johns, it does
 5 still go into Volusia, but as you will notice, it
 6 doesn't go to the core of the City of Daytona
 7 Beach or the core of the City of St. Augustine
 8 because it was, frankly, felt that the tourist
 9 areas, and those are two very big tourist
 10 destinations, St. Augustine and Daytona Beach,
 11 needed to be kept together and they are kept
 12 together in Congressional District 7.

13 So, I don't know if I got all of the points
 14 that you made, but we have very definitely
 15 protected the incumbent in that district.

16 MADAM PRESIDENT: Senator from the 2nd, do
 17 you have a follow-up question?

18 SENATOR HOLZENDORF: Yes.

19 MADAM PRESIDENT: We are not in debate yet.
 20 If you have a question, you may be recognized.

21 SENATOR HOLZENDORF: I guess, Senator, you
 22 are answering questions about Senate Congressional
 23 District 3 and I'm asking you about Congressional
 24 District 4.

25 I understand why you did Congressional

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1 District 3. I don't understand why you did
 2 Congressional District 4 if you are talking about
 3 communities of interest and you are talking about
 4 keeping the coastal communities together and you
 5 separated out the coastal community of Duval
 6 County from the coastal communities of St. Johns,
 7 Flagler and Volusia in that area, because I think
 8 that's what drives Congressional District 3.
 9 And I guess because Congressional District 4
 10 is not a minority district, a majority minority
 11 district, you proceeded to explain the majority
 12 minority district to me. I'll speak on the
 13 majority minority district later.
 14 My question was about that district that has
 15 that finger in Leon County.
 16 MADAM PRESIDENT: Senator from the 19th to
 17 respond.
 18 SENATOR LATVALA: Thank you. Let me try one
 19 more time. And I apologize if I didn't adequately
 20 answer your question.
 21 There's a number of factors. Number one is
 22 public testimony that we received that said that
 23 Volusia has more in common with Flagler and
 24 Brevard Counties than it does with Duval County.
 25 That's one of the factors we took into play.
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1 In addition, I think I explained the
 2 connection economically between a lot of the
 3 things that are done in Senator Mitchell's
 4 district with those small counties and what's done
 5 in Jacksonville.
 6 You know, I don't know for an absolute fact,
 7 but I would suspect that most of the shopping and
 8 a lot of the commerce that goes on in counties
 9 like Hamilton County and Columbia County and Baker
 10 County, certainly are connected to Jacksonville
 11 and are more connected to Jacksonville than they
 12 would be to, for instance, in the old district,
 13 part of Columbia County was connected to New Port
 14 Richey.
 15 And I didn't ever understand how New Port
 16 Richey, which is in my district, could be
 17 connected to Columbia County.
 18 So, I think there is a more natural nexus
 19 between the counties in this map and Jacksonville
 20 than what we had previously.
 21 MADAM PRESIDENT: Senator for a question?
 22 For a follow-up question?
 23 SENATOR HOLZENDORF: Yes, final. Senator,
 24 when we are drawing Congressional districts, we
 25 are drawing for representation, we are not drawing
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1 a district that puts people together based on
 2 where they shop because it's obvious if they shop
 3 in Duval County.
 4 Is this not predicated on the fact that the
 5 Congressperson that will represent that area would
 6 have to represent a vast variety of concerns as it
 7 relates to those areas and that's why it has
 8 always been stated that the area should have some
 9 commonality of interest?
 10 Because if you are representing rural and you
 11 are representing urban, there is a diversity there
 12 in terms of the representation. The concern that
 13 I had was asking you the common interest between
 14 an area in Duval County that stretches along the
 15 Georgia line until it gets to Jefferson County,
 16 and splitting Jefferson County, and then going
 17 into Leon County and splitting it just a little
 18 bit more when all of that population that is
 19 needed to configure that Congressional district is
 20 to the east.
 21 SENATOR LATVALA: I think I have answered
 22 that as well as I am able.
 23 MADAM PRESIDENT: Senator from the 32nd, you
 24 are recognized for an introduction -- 36th, I am
 25 sorry, 36th.
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1 SENATOR MEEK: Thank you very much, Madam
 2 President. I want the members to know that we
 3 have a war veteran amongst us, of the Korea and
 4 Vietnam, 15 years, in the west gallery.
 5 Fifteen years, 7 months from St. Petersburg,
 6 Florida, 81 and a half years old, still running
 7 strong. My oldest and only uncle and only sibling
 8 that is still surviving, a member of my mother's
 9 family on her side, is Mr. King George Pittman
 10 standing up there, a 1st Lieutenant, who said that
 11 he's ready to go to Afghanistan if he needs to.
 12 MADAM PRESIDENT: Welcome to the Florida
 13 Senate.
 14 SENATOR MEEK: Thank you very much, Madam
 15 President, a proud veteran.
 16 MADAM PRESIDENT: We have the Senator from
 17 the 29th for a question.
 18 SENATOR GELLER: Actually, a series of
 19 questions, Madam President.
 20 MADAM PRESIDENT: You are recognized.
 21 SENATOR GELLER: Thank you, Madam President.
 22 I have a couple of questions that I want to ask
 23 about. First, if we can zoom in on Senate
 24 District 16.
 25 I currently share a large number of
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1 constituents with the Congressman currently
 2 representing the Senate seat 16. It is my
 3 understanding that they currently were
 4 overpopulated by a little less than 120,000
 5 people; is that correct, Senator?
 6 MADAM PRESIDENT: Senator from the 19th to
 7 respond.
 8 SENATOR LATVALA: You lost me, you were
 9 talking about Senate District 16?
 10 SENATOR GELLER: No, no, Congressional
 11 District 16. I said, in my current seat, I share
 12 many of the constituents with the Congressman from
 13 the current 16th Congressional district, so I'm
 14 very familiar with that seat.
 15 MADAM PRESIDENT: Senator from the 19th.
 16 SENATOR GELLER: My understanding is that
 17 they need to lose a little less than 120,000
 18 people; is that correct?
 19 SENATOR LATVALA: That is correct.
 20 MADAM PRESIDENT: Senator from the 29th as a
 21 follow-up.
 22 SENATOR GELLER: Thank you, Madam President.
 23 That seat is currently, essentially, a Palm
 24 Beach-based seat. Do you know how many people are
 25 in that seat currently in Palm Beach County?
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1 MADAM PRESIDENT: Senator from the 19th.
 2 SENATOR LATVALA: Not without shuffling
 3 through all of my paperwork.
 4 SENATOR GELLER: Would you believe it is
 5 343,000 people?
 6 SENATOR LATVALA: I would believe that, yes.
 7 SENATOR GELLER: Okay. And can you tell me
 8 after this, after the map is redrawn, how many
 9 people will be left in Palm Beach in that seat?
 10 MADAM PRESIDENT: Senator from the 19th to
 11 respond.
 12 SENATOR LATVALA: Somewhere on the order of
 13 102,000.
 14 MADAM PRESIDENT: Senator from the 29th as a
 15 follow-up.
 16 SENATOR GELLER: Madam President, may I be
 17 recognized for a series of questions, because I've
 18 got a bunch.
 19 MADAM PRESIDENT: I think it would be easier
 20 if you asked them one at a time. It'll be easier
 21 for the Senator to answer them if you ask them one
 22 at a time. You are recognized for a question.
 23 SENATOR GELLER: I am asking them one at a
 24 time. So, Senator, I'm not that good at math, but
 25 it looks like Palm Beach County, which
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1 coincidentally was a county that went for Al Gore,
 2 is going from 343,000 to 102,000, so they are
 3 losing, what, about 240,000 people out of Palm
 4 Beach County in that current Congressional seat;
 5 is that it?
 6 MADAM PRESIDENT: Senator from the 19th.
 7 SENATOR LATVALA: Yes.
 8 MADAM PRESIDENT: Senator from the 29th.
 9 SENATOR GELLER: Thank you, Madam President.
 10 Do you know how many people they are currently
 11 switching around, that is, how many people that
 12 are currently in the 16th Congressional seat will
 13 be in the 16th Congressional seat after the
 14 changes are made?
 15 MADAM PRESIDENT: Senator from the 19th to
 16 respond.
 17 SENATOR LATVALA: Senator, I believe that
 18 that is one of the districts that I referenced
 19 earlier where less than 50 percent of the -- one
 20 of the Republican seats where less than 50 percent
 21 of the people will still be in the district. I
 22 will have to find that right now.
 23 MADAM PRESIDENT: Senator from the 29th.
 24 SENATOR GELLER: Well, Senator, I understood
 25 that, although in this case, it appears to have
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1 been done to dramatically strengthen the
 2 Republican vote because you've taken that from a
 3 seat that did vote for Al Gore to a seat that Al
 4 Gore -- you have taken that from a seat that Al
 5 Gore received 51 and a half percent of the vote in
 6 to a seat that Al Gore got, I believe, less than
 7 46 percent of the vote. And if you could look at
 8 the map there.
 9 Again, I am very familiar with that area.
 10 The community of interest there has been -- you
 11 have got along -- the Lake/Belle counties,
 12 Highlands, Glades, Hendry, as well as Palm Beach
 13 area. You have now added to that approximately
 14 100,000 people from Charlotte County.
 15 And the people that you have added in
 16 Charlotte County is not an agrarian or a rural
 17 area, it is a very urban, very heavily Republican
 18 area of Charlotte County.
 19 Can you elaborate on why you have done this?
 20 MADAM PRESIDENT: Senator from the 19th to
 21 respond.
 22 SENATOR LATVALA: I am having a great deal of
 23 difficulty following the Senator's questioning in
 24 determining where the comments stop and the
 25 questions start.
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1 I think there's a number of questions in
 2 there and I'm thinking that some of them is that
 3 we are somehow or other diminishing Palm Beach
 4 County's representation.
 5 So, let me add that, although this seat is
 6 reduced in its Palm Beach population, the District
 7 22 is increased in its Palm Beach County
 8 population to where it's now the predominant
 9 county in District 22.
 10 So, whereas, we have shifted which district
 11 Palm Beach County is the predominant county in, it
 12 has the predominant position in the majority --
 13 it's still in the same number of districts.
 14 And, Madam President, I think I'm going to
 15 suggest a lack of a quorum.
 16 MADAM PRESIDENT: Senator from the 19th has
 17 suggested a lack of a quorum. If the Secretary
 18 will open the board and issue a quorum call.
 19 (Quorum call.)
 20 MADAM PRESIDENT: Senator from the 29th for a
 21 question.
 22 SENATOR GELLER: Thank you, Madam President.
 23 Senator, I appreciate you answering the question
 24 that I wasn't answering -- answering a question I
 25 wasn't asking.
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1 MADAM PRESIDENT: Senator from the 29th,
 2 could you please repeat your question?
 3 SENATOR GELLER: Thank you, Madam President.
 4 Senator from the 19th, I appreciate you answering
 5 the question I wasn't asking; however, let me
 6 repeat the question that I was asking.
 7 The point I made is this appears to have been
 8 a Palm Beach-based seat that has now been changed
 9 to a non-Palm Beach-based seat. And more
 10 importantly, the old seat was the agricultural
 11 area, Glades, Hendry, Highlands, Okeechobee, and
 12 Palm Beach.
 13 You have now added about 100,000 people in
 14 Charlotte County in a very urban area of Charlotte
 15 County, not an agricultural area. I'm trying to
 16 understand what your reasoning was in taking a
 17 seat from the Atlantic Ocean all the way west of
 18 75, picking up a very urban area of Charlotte
 19 County, which has no community of interest, that
 20 urban area of Charlotte County, with the Palm
 21 Beach area that you are talking about.
 22 You have gone across the state, and I'm just
 23 trying to understand what your reasoning was for
 24 doing this.
 25 MADAM PRESIDENT: Senator from the 19th to
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1 respond.
 2 SENATOR LATVALA: The reason for adding
 3 Charlotte County, let's try to parse this down so
 4 that we can understand what we're asking here.
 5 The first question I heard asked was why we
 6 were adding Charlotte County to the district.
 7 Senator, when you look at each of the
 8 Congressional districts from Congressional
 9 District 16 south, you will see the Congressional
 10 District 16 needs to lose 100 -- is overpopulated
 11 right now by 119,000 people.
 12 District 19, Congressman Wexler's district,
 13 is overpopulated by 161,000 people. District 20,
 14 Congressman Deutsch's district, is overpopulated
 15 by 144,000 people, and District 21, Congressman
 16 Diaz-Balart's district, is overpopulated by
 17 150,000 people.
 18 That is, quickly, my math, about a half of a
 19 million new people, which is required, but is not
 20 quite enough for a new Congressional district but
 21 it's enough where they have got to be dealt with.
 22 So, what that does is push everybody north. And
 23 so, that pushed 16 out of Palm Beach County.
 24 Now, the second part of the question is with
 25 regard to Charlotte County, I happen to have some
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1 local knowledge there. And I can tell you that
 2 when you drive on that road from Glades County,
 3 which is very agriculturally oriented, and you hit
 4 the county line in Charlotte County, guess what?
 5 It looks exactly the same.
 6 The eastern part of Charlotte County is just
 7 as agriculturally oriented as Glades County is.
 8 No difference at all. There's a lot of big
 9 ranches out there. And once you get to the coast,
 10 what do you find? You find the same kind of
 11 retirees that live along the other coast in Martin
 12 and St. Lucie and Palm Beach Counties.
 13 So, the community of interest is obvious to
 14 me.
 15 MADAM PRESIDENT: Senator from the 29th for a
 16 follow-up question.
 17 SENATOR GELLER: Thank you, Madam President.
 18 I won't belabor the 16th Congressional District,
 19 although I still have some questions on that.
 20 Let's turn if we can to the 22nd
 21 Congressional District. And by the way, if you
 22 wanted to bring up that map of Congresswoman
 23 Brown's district, you might find some similarities
 24 between the way that we have drawn Congressman
 25 Shaw's district. Can we, Madam President, can I
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1 get a side-by-side between that map and
2 Congressman Shaw's map?

3 MADAM PRESIDENT: Why don't you ask your
4 question while they are putting that up on the
5 screen.

6 SENATOR GELLER: Thank you. If you look at
7 Congressman Shaw's current district, you will find
8 that it is, in fact, a coastal district that runs
9 from roughly Juno Beach down to basically Miami
10 Beach, but it is a complete coastal district and
11 represents that community of interest of the
12 coastal residents.

13 That map over there that is in front of us
14 right now does not appear -- is clearly not a
15 coastal seat. You -- hold on. If you could just
16 show me Congressman Shaw's actually current map so
17 we can see that it's currently a straight map and
18 then get back to the prior map. You don't have to
19 do side-by-side, just show me Congressman Shaw's
20 current seat.

21 MADAM PRESIDENT: Senator from the 19th to
22 respond.

23 SENATOR GELLER: Senator, if you can see
24 that, you will see Congressman Shaw's current seat
25 is a coastal district, period. It doesn't go

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1 questions for a moment. You are recognized for
2 additional questions.

3 SENATOR GELLER: Thank you, Mr. President.
4 It's actually difficult to do this following the
5 ceremony.

6 Senator Latvala, I have just shown you
7 Congressman Shaw's current coastal district, which
8 is, again, a fairly straight, rationally drawn
9 seat that is primarily a coastal seat and asked
10 you to compare that to the one under your
11 Congressional Plan 17 which takes in inland areas
12 such as Coral Springs, Cooper City, et cetera, and
13 I was asking you to explain to me what those
14 communities of interest are other than the fact
15 they have Republican voters.

16 MR. PRESIDENT: Senator from the 19th is
17 recognized to reply.

18 SENATOR LATVALA: Thank you. The shape of
19 Congressional District 22 was determined by a
20 number of factors. The new Congressional district
21 in south Florida pushed that district farther to
22 the north.

23 In addition, we were able to reduce the
24 number of counties covered by that Congressional
25 district from three to two. I think, we have got,

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1 inland, it is a coastal district that hugs the
2 coast and that's all that it does. Now, if you
3 can go back to the old map. Thank you.

4 If you look at that area, for example, in
5 Broward County, it takes in parts of cities, far
6 inland cities such as Dade.

7 (President McKay Presiding)

8 MR. PRESIDENT: Senator, how many more
9 questions do you have?

10 SENATOR GELLER: Five, 10, 15, 20, 25, 30,
11 half of a dozen.

12 MR. PRESIDENT: We have -- well, we have
13 Mr. Arrington's family here. Could we temporarily
14 pass the bill and then I will come back to you
15 with questions and then I'll go to Senator Meek
16 and Senator Mitchell, as they were on the list,
17 and anybody else that wishes to speak so we can
18 get this done in an orderly fashion.

19 Is that all right, Senator?

20 SENATOR GELLER: I am writing it down.

21 MR. PRESIDENT: Thank you, sir.

22 (Senate Resolution 2698 taken up.)

23 MR. PRESIDENT: Senator from the 29th, you
24 were in the midst of some questions, and I
25 appreciate your allowing us to depart from your

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1 you know, two types of folks, communities of
2 interest, there.

3 We have the folks that are retirees who live
4 along the coast and then we do have a number of
5 suburban families of not only in the Parkland,
6 Coral Springs area, but also in north Palm Beach
7 and Jupiter and some of the areas that were
8 included in the district to the north.

9 It does help protect Congressman Shaw, which
10 is one of the factors that we have taken into
11 consideration in a number of the incumbent races.

12 MR. PRESIDENT: Senator from the 29th is
13 recognized for additional questions.

14 SENATOR GELLER: Thank you, Mr. President.
15 So, you are telling me that the community of
16 interest there is that you have either retirees or
17 younger people? Who else does that leave?

18 SENATOR LATVALA: What I said was, coastal
19 retirees, many of whom live in condominiums, and a
20 number of single-family, professional type mixed
21 in with the retirees in those areas but it is a,
22 you know, those are Republican areas.

23 SENATOR GELLER: For follow-up, Mr.
24 President.

25 MR. PRESIDENT: You are recognized, Senator.

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1 SENATOR GELLER: Mr. President, for a series
2 of questions here. Actually, if you look, you are
3 correct, there are a number of coastal retirees,
4 and then this map appears drawn in such a way as
5 to specifically exclude any of the inland
6 condominium retirees, all of whom appear to be in
7 Congressman Deutsch's district.

8 Why have you taken -- decided the coastal
9 retirees are good, but inland retirees are bad or
10 different communities of interest?

11 MR. PRESIDENT: Senator from the 19th.

12 SENATOR LATVALA: As the Senator from the
13 29th well knows, it's possible to draw
14 Congressional district lines under the guidelines
15 given to us by the Supreme Court based on
16 protecting incumbents and based on partisan
17 considerations.

18 MR. PRESIDENT: Further discussion, further
19 debate?

20 SENATOR GELLER: So -- I have more questions,
21 but if that's the reason this is being done,
22 primarily for incumbent protection, I can skip the
23 rest of the questions on that, if I heard you
24 correctly.

25 MR. PRESIDENT: Response from the Senator
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1 and is currently, I am assuming, that 17th --
2 okay. While you try and find it, I'll just talk
3 to you.

4 SENATOR LATVALA: Mr. President, could he get
5 to his question and then I can help him?

6 SENATOR GELLER: Senator, Century Village, as
7 you know, is a gated community, primarily
8 retirees, Jewish retirees, and others. It's
9 currently in Congressman Deutsch's district with a
10 lot of his other senior and inland Congressional
11 retirees, and in the latest map, you have placed
12 this in Congressman Hastings' district.

13 Can you tell me -- thank you. If you see,
14 Your Honor, right now, if you see at the top of
15 that green area, right next to the hand, due east
16 of the hand, there is that little blue area in
17 Congressman Hastings' seat. Right, right there,
18 right there. You just placed, as I said --

19 MR. PRESIDENT: Senator, let's get to your
20 question.

21 SENATOR GELLER: I am trying to, they keep
22 getting --

23 SENATOR LATVALA: I know the answer to where
24 he's going.

25 SENATOR GELLER: I just wanted to know if you
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1 from the 19th?

2 SENATOR LATVALA: Question asked and
3 answered, Mr. President.

4 SENATOR GELLER: Okay. Well, I have one
5 final question, Mr. President. If I am -- and I'm
6 not even sure that you are aware of, Senator from
7 the 17th, I'm not even sure you're aware of this,
8 the question just occurred in the latest rendition
9 of your map.

10 Century Village. The last question I have,
11 and as I said, I'm not even sure that you are
12 aware that this actually occurred, if you can turn
13 to the southern portion of Congressman Hastings'
14 district where it interfaces with Congressman
15 Shaw's district and Congressman Deutsch's
16 district, as you are aware, Century Village, this
17 would be in southwest Broward County.

18 Senator from the 17th, I'm not sure that you
19 are even aware of this because, as I said, it just
20 occurred in the latest rendition of the map, I
21 think you are familiar with Century Village, the
22 reputation there. They are gated communities,
23 primarily seniors and retirees.

24 Again, Century Village in Pembroke Pines,
25 which I was privileged to represent for many years
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1 are aware that the latest rendition of the map
2 placed Century Village, a senior retirement, gated
3 community in Congressman Hastings' district, which
4 I can assure you is not the area that they wanted
5 to be in.

6 Were you aware of that; can you explain why
7 that occurred; is there another way of drawing
8 this map to connect Congressman Hastings' house to
9 the rest of his district without including all of
10 Century Village in Congressman Hastings' district?

11 MR. PRESIDENT: Senator from the 19th to
12 reply, is recognized to reply.

13 SENATOR LATVALA: I wasn't aware we included
14 all of Century Village in the district and I'm not
15 sure that to be a fact. But what a number of
16 members in this chamber, the Senator from the
17 36th, the Senator from the 21st had pointed out
18 that we left Congressman Hastings out of his
19 district, and I must say inadvertently, and as
20 part of our general, overall approach of trying to
21 protect the incumbent districts, we felt it was
22 important to put him back in the district.

23 I would think, however, that those voters
24 that you have described that are in the connector
25 there are still reliably Democratic voters.

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1 MR. PRESIDENT: Senator from the 36th, on my
2 schedule, you are next to -- person to be
3 recognized with regard to questions.

4 SENATOR MEEK: Thank you, Mr. President.
5 Senator from the 19th, I want to ask you a little
6 bit about two districts. One, which is
7 Congressional District 17. The district was
8 underpopulated by 62,128 people. It also is a
9 district that has minority voters and has been
10 able to elect the candidate of their choice to
11 office, thus enjoys the protections of the Voting
12 Rights Act.

13 Only 63 percent of the current residents are
14 in Congressional District 17 that remains in --
15 remains in the new Congressional 17 under this
16 proposal. The new 17th picks up more than 150,000
17 new people from Broward County, although the new
18 district is 57.9 in total African-American
19 population.

20 This figure includes those who are multirace
21 and thus, the African-American population in the
22 old 17th Congressional District was at 58 percent.
23 I don't -- you cannot compare the new figure of
24 59.9 because the new figure includes multirace.

25 I think, also, along with this question,
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1 underpopulated district in the state of Florida.

2 In addition, the pressures of the new
3 district and the overpopulation in surrounding
4 districts, but particularly to the west,
5 necessitated the need to push the district a
6 little farther to the north into Broward County.

7 And I am going to ask -- Mr. President, I'm
8 going to ask Senator Webster to help me answer the
9 multirace question, if he can, please.

10 MR. PRESIDENT: Senator from the 12th, you
11 are recognized to respond to the question from the
12 Senator from the 36th.

13 SENATOR WEBSTER: Thank you, Mr. President.
14 Well, I think when you look at multirace
15 performance, I think what most of the people that
16 do the analysis, that would be racial block voting
17 analysis, they look for commonality in voting
18 patterns; therefore, if there were two different
19 or three or whatever different racial groups that
20 all voted as a block, then they believe those
21 numbers can be combined to determine what the
22 specific performance of that district would turn
23 out to be.

24 And so, I think in some of the areas where,
25 and in that particular Congressional District 17,
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1 Mr. -- the Senator from the 19th, Senator, I
2 personally, and I think before we started dealing
3 with the House, the tail that we talk about all
4 the time in that district, why did we cross that
5 Broward County line? And if you can address the
6 issue as it relates to the multirace versus race.

7 MR. PRESIDENT: The Senator from the 19th is
8 recognized to respond.

9 SENATOR LATVALA: Well, my numbers are
10 slightly different from yours. My understanding
11 is that it retains 90 percent of the population of
12 the existing district, but in any event, it does
13 remain strongly African-American at 54 percent
14 voting age population, it remains strongly
15 Democratic at 71 percent of registration.

16 The proposed new district unites the
17 districts of Utopia, Andover and Norland, and I
18 guess also there's Carver Ranches, which they are
19 included in the proposed District 17. These are
20 heavily African-American communities which were
21 previously divided among Districts 17, 20, 22 and
22 23.

23 Now, why did we go to Broward County? A
24 couple of things. First of all, the district
25 needed to gain 62,000 people. It was the most
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1 I think that also plays out there. And so, it is
2 an important fact that in some cases you can, in
3 some cases you can't. But in this particular
4 case, we have some groups that actually have the
5 same voting patterns.

6 MR. PRESIDENT: Further discussion, Senator
7 from the 36th, you have questions? You're
8 recognized, Senator.

9 SENATOR MEEK: Yes, not from you.

10 MR. PRESIDENT: You are recognized, Senator.

11 SENATOR MEEK: Yes. Senator from the 19th, I
12 just want to state because you said it is about
13 80 percent or 90 percent in Dade County.

14 I'm reading from the statistics that I have
15 here, Broward is 25.9 percent of the district, and
16 Dade represents 74.1 percent of the district.

17 Am I reading off the wrong thing or am I
18 reading off the correct thing? This was pointed
19 out to me by staff yesterday because that's the
20 reason why I am asking this question today.

21 But let me just start on the question on
22 Congressional District 17 -- I mean, 18.
23 Congressional District 17, of course, is
24 represented by Representative Ileana Ros-Lehtinen.
25 This district is under -- was underpopulated by
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1 41,348 people.
2 Currently, the district is 70.5 percent
3 Hispanic total population, mostly Cuban. It is
4 also a district in which minority voters have been
5 able to elect a candidate of their choice to
6 office, thus enjoys the protection of the Voting
7 Rights Act.

8 Under the new seat, Congressional District
9 18, it picks up Miami Beach and Monroe County
10 under the proposal. Under this plan, the Hispanic
11 percentage gives -- drops by ten percent, by ten
12 points, to 68.8. I just wanted to ask you that,
13 the issue of the drop as it relates to the
14 minority Hispanic population.

15 SENATOR LATVALA: And what is the question,
16 Mr. President?

17 MR. PRESIDENT: Senator from the 36th.

18 SENATOR MEEK: Why we had such a drop in
19 Hispanic population within that district by ten
20 points, from 70.5 to 60.8.

21 MR. PRESIDENT: Senator from the 19th, you
22 are recognized.

23 SENATOR LATVALA: Okay. First of all, Mr.
24 President, we have a number of factors. It's
25 prohibitive to pack minorities in districts where,
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1 60 percent, and that was based on the fact that
2 there was low registration in that particular
3 community, and the other was that there was some
4 low voter turnout. And in that, there were five
5 points added by the Court for each of those things
6 and got to 60 percent.

7 So, in their mind, at least, it is not the
8 upper limit, it is not the lower limit -- it is a
9 lower limit in that you need to get to at least
10 60, which this district does.

11 MR. PRESIDENT: Any further questions? Turn
12 on the mike. The Senator from the 36th, please.

13 SENATOR MEEK: No, Mr. President, I would
14 just like to be placed on the list in debate.

15 MR. PRESIDENT: Okay. I will put you there,
16 Senator. Senator from the 4th, you are the last
17 person recognized for questions. Questions,
18 Senator from the 34th, or debate? Questions?

19 SENATOR DIAZ de la PORTILLA: One question.

20 MR. PRESIDENT: All right. I'll come back to
21 you after the Senator from the 4th then.

22 SENATOR MITCHELL: Thank you, Mr. President.
23 I just have a question about Congressional
24 District 2, the seat currently held by
25 Representative Alan Boyd.

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1 you know, where they can be effective in creating
2 new districts.

3 The definition by the courts is a little hazy
4 at where the tier or -- where the level is that it
5 becomes packing, but a lot of times it is in the
6 70s. This district would only go down ten points
7 because the new district, as the Senator said, is
8 still over 60 percent and it would still be a
9 reliably performing district for the Republican
10 incumbent because of the factors that are left in
11 the district.

12 MR. PRESIDENT: Further discussion? Senator
13 from the 12th, for what purpose do you rise?

14 SENATOR WEBSTER: Thank you, Mr. President,
15 to give further explanation of -- to that
16 question.

17 MR. PRESIDENT: You are recognized, Senator.

18 SENATOR WEBSTER: Ten years ago, when the
19 Federal court took up the issue, there was a
20 question about how many seats could be developed
21 in the Miami-Dade area and they came up with an
22 effectiveness for minority population in a
23 particular district and they started at
24 50 percent.

25 They gave a few points, which got it to
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1 This Congressional district needs to lose
2 about 37 or 38,000 people. It is shifted to the
3 west and picks up folks in Bay, Walton and
4 Okaloosa Counties, about 65,000 people. This
5 causes it to lose more population than necessary
6 in the areas of Columbia, Hamilton, Madison, and
7 parts of Jefferson and Leon Counties.

8 And my question is, Why did we do that in
9 that particular way?

10 MR. PRESIDENT: Senator from the 36th is
11 recognized to respond -- or the 19th, I'm sorry.

12 SENATOR LATVALA: We had a number of factors
13 that we looked at and that we needed to balance as
14 we do the districts: Communities of interest,
15 political cohesiveness and socio and economic
16 interests.

17 MR. PRESIDENT: You are recognized, Senator.

18 SENATOR MITCHELL: As you shifted, as you
19 made that shift, it caused Congressional District
20 1 to move over and pick up 21,000 people, I
21 believe, new people that it didn't have previously
22 in Washington County.

23 Why did we do that; why did we just not allow
24 Congressional District 2 to move over into
25 Washington County to keep those communities of
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1 interest, the agricultural communities together?
 2 SENATOR LATVALA: I think the folks that live
 3 in south Walton and south Okaloosa Counties are
 4 tied very closely to the folks that used to be in
 5 Congressional District 2 in Bay County. And as
 6 Congressional District 1 grew, of course, it comes
 7 this way, but there's a lot of communities of
 8 interest between the retirees who live in Panama
 9 City Beach and out along toward Grayton Beach and
 10 Destin -- and Seaside, and so forth, and we kept
 11 all those folks together.
 12 MR. PRESIDENT: Senator from the 4th.
 13 SENATOR MITCHELL: Thank you, Mr. President.
 14 This particular scheme on the way that we have
 15 done this and drawn these lines, as it moves west,
 16 it puts Congressional District 2, it changes I
 17 guess the political makeup of it. Whereas before,
 18 Gore got 49 percent, now he gets 46 percent,
 19 keeping in mind that Representative Boyd is on the
 20 appropriations committee in Congress, one of the
 21 most powerful committees.
 22 Why would we, in light of trying to protect
 23 our incumbents, why would we move to jeopardize
 24 his seat in that fashion?
 25 SENATOR LATVALA: Well, Senator, this is one
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1 of those compromised decisions that was reached
 2 with the House of Representatives. I am going to
 3 go at it backwards.
 4 The Senate original map that we took out of
 5 committee had a 49 percent Republican factor in
 6 the presidential election in 2000. The House map
 7 had a 55 percent Republican factor in the
 8 Republican race in 2000 in that district.
 9 The final map has 51 and a half percent,
 10 which is closer to where we started than where
 11 they started, and that's one of those decisions
 12 that we had to work together with the House on to
 13 arrive at a final plan.
 14 I will tell you that there's probably not a
 15 Congressman in the state of Florida that I had
 16 more personal consultation with than Congressman
 17 Boyd.
 18 MR. PRESIDENT: Further discussion, debate?
 19 Further questions? Senator from the 34th, for
 20 what purpose do you rise?
 21 SENATOR DIAZ de la PORTILLA: For a question
 22 from the Senator from the 12th.
 23 MR. PRESIDENT: You are recognized, he
 24 yields, Senator.
 25 SENATOR DIAZ de la PORTILLA: Thank you, Mr.
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1 President. Senator, you answered a question the
 2 Senator from the 36th asked and it raised some
 3 concerns in my mind.
 4 Talking about Congressional District 18, you
 5 said, and I accept your legal explanation, you
 6 know, between -- the five-point explanation you
 7 gave, and we had extensive discussion about that
 8 when you and I met and in some of the public
 9 hearings also.
 10 But you said you dropped 10 percent of
 11 Hispanic population, there's a 10 percent drop,
 12 10-point drop, in Congressional District 18.
 13 Where did you put those people? And I believe
 14 that you may have put them in the Congressional
 15 district that the Senator's mother represents.
 16 Are you in effect disenfranchising those
 17 people by putting them in a different minority
 18 district, a different minority group?
 19 MR. PRESIDENT: Senator from the 12th is
 20 recognized to respond.
 21 SENATOR WEBSTER: No, I don't think so. I
 22 think, in the end, that particular Congressional
 23 district needed people and they had to come from
 24 somewhere, and I think in order to maintain the
 25 compactness of that district, they were chosen
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1 because of that.
 2 On the other hand, I think the real key is,
 3 did it affect the effectiveness of either one of
 4 those districts, and the answer is, no, it did
 5 not.
 6 MR. PRESIDENT: Senator from the 34th, for
 7 what purpose?
 8 SENATOR DIAZ de la PORTILLA: For a
 9 follow-up, Mr. President.
 10 MR. PRESIDENT: You're recognized.
 11 SENATOR DIAZ de la PORTILLA: As you know,
 12 one district is predominantly African-American and
 13 the other is predominantly Cuban-American. If you
 14 took 60,000 people, or a roughly 10 percent drop,
 15 and you put them in a district that both
 16 performance and culturally and ethnically and by
 17 political affiliation is radically different, are
 18 those people, in effect, do those people now --
 19 they don't have a voice?
 20 MR. PRESIDENT: The Senator from the 12th is
 21 recognized to respond.
 22 SENATOR WEBSTER: No, I don't believe that.
 23 I think that, in the end, there's 640,000 people
 24 in every Congressional district. And every person
 25 has a voice and they can contact their Congressman
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1 or Congresswoman and petition or ask -- and I
 2 think the key to drawing the districts is to make
 3 sure if there is a cohesive group of voting
 4 minorities and they are compact in nature, then
 5 the key is making sure that they would have the
 6 opportunity to elect the candidate of their
 7 choice.

8 But can you put everyone in the same
 9 district? No. Can you violate the zero
 10 deviation? No. So, there's certain constraints
 11 and I think within those constraints, we took, we
 12 made sure that the districts were as balanced as
 13 possible and still maintained what we believed to
 14 be minority effectiveness.

15 MR. PRESIDENT: Sir, do you want to do these
 16 in debate? You have already asked a number of
 17 questions. One more question, you are recognized
 18 for one question, Senator.

19 SENATOR DIAZ de la PORTILLA: Thank you, Mr.
 20 President. Possibly from the Senator from the
 21 19th. What percentage of District 17, I believe
 22 Congresswoman Meek's district, is
 23 African-American?

24 SENATOR LATVALA: It's 54 percent voting age
 25 population and total population, it's right at
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1 58 percent, non-Hispanic black is right at
 2 58 percent.

3 SENATOR DIAZ de la PORTILLA: Thank you, Mr.
 4 President.

5 SENATOR LATVALA: You are welcome, Senator.

6 MR. PRESIDENT: Those are all of the folks,
 7 Senators that I had recognized for questions. We
 8 are now on debate. Senator from the 32nd, you are
 9 recognized to debate House Bill 1993.

10 SENATOR WASSERMAN-SCHULTZ: Thank you, Mr.
 11 President. Mr. President, three days ago, I wrote
 12 to speak in favor of the Fairness Congressional
 13 Plan proposed by the Senator from the 40th. This
 14 chamber voted to reject that amendment.

15 I believe the Fairness Plan respected the
 16 public testimony and that the Jones' amendment was
 17 the only plan that this body had taken up that
 18 created two black districts with the voting age
 19 populations in excess of 50 percent.

20 The Fairness Congressional Plan also created
 21 three Hispanic districts with majority voting age
 22 populations over 50 percent. The plan also
 23 created a new Hispanic Congressional district that
 24 was compact and centered in south Florida's
 25 Miami-Dade and Broward Counties.
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1 It also created a new Congressional district
 2 in east central Florida that maintains the growing
 3 Hispanic community. The plan maintained the
 4 voting strength of Hispanics in Lake, Seminole,
 5 Orange and Osceola Counties.

6 Finally, the plan was politically fair
 7 inasmuch as it respected incumbents and the
 8 registered voters of the state. It creates 11
 9 seats that performed for Gore and 14 that
 10 performed for Bush in the last presidential
 11 election. It was also the only plan that didn't
 12 pair any incumbent.

13 The proposed plans that have been before us
 14 pair Congressmen Boyd and Crenshaw and Congressmen
 15 Hastings and Foley, but for the fix that now
 16 includes Century Village in Congressional
 17 District -- removes Century Village from
 18 Congressional District 20.

19 It is with these comments that I reviewed the
 20 latest version of a Congressional map presented by
 21 the Senator from the 19th.

22 First, the proposed plan alters the proposed
 23 Districts 3, 5, 7, 9, 11, 12 and 14 in plan 15,
 24 which was the plan presented three days ago. In
 25 discussing those districts, the Senator from the
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1 19th provided us with statements in support of the
 2 then-proposed districts from 15.

3 Why are the justifications given three days
 4 ago no longer the overriding sentiment? I think
 5 we all know the answer to that question.

6 The proposed plan has little or nothing to do
 7 with communities of interest or respecting the
 8 public's input, but more to do with political
 9 agenda and maximizing Republican Congressional
 10 districts. Instead of amending plan 15 to reflect
 11 the public testimony and to maintain the integrity
 12 and configuration of the existing majority and
 13 minority districts, plan 17 reconfigures
 14 Congressional Districts 3, 17 and 23.

15 Congressional District 3 sprawls into
 16 Alachua, Marion and Lake Counties making the
 17 district less compact. The configuration
 18 unnecessarily strings isolated African-American
 19 communities in those counties. Congressional
 20 Districts 17 and 23 are also reconfigured to
 21 exclude African-American communities that have
 22 been traditionally represented by Congresswoman
 23 Meek and Congressman Hastings.

24 District 17 continues to truncate Meek's
 25 prior districts to the south, thereby
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1 disenfranchising minority communities of interests
 2 in Goulds, Princeton, Overtown, Leisure City and
 3 Homestead, Florida.
 4 Congressional District 23 excludes insular
 5 minority communities of interest along the eastern
 6 portion of Broward County that were previously
 7 represented by the Congressman. Districts 17 and
 8 23 were unnecessarily reconfigured because the
 9 public testimony was ignored in order to create a
 10 district that would elect a Republican.
 11 The new District 25 proposed in map 15 is
 12 contradictory to the public testimony of many
 13 citizens who testified at our public hearings and,
 14 thus, also, in map 17. These people testified
 15 that they didn't wish to be linked to a district
 16 that stretched east to west, linking southeast
 17 Florida with southwest Florida.
 18 And with all due respect to the Senator from
 19 the 12th, I attended the public hearings in the
 20 southwest part of Florida and I heard nothing, not
 21 in one bit of testimony, that indicated that any
 22 portion of those communities understood that they
 23 would be linked to a southeast coastal district.
 24 Congressional District 20 connects west
 25 Broward with Miami-Dade's beach communities where
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1 they have little to nothing in common. They have
 2 not been linked before and it makes no sense to
 3 link them now, other than to fulfill partisan
 4 political interests.
 5 It connects Wilton Manors and other
 6 communities in a snake-like fashion with no rhyme
 7 nor reason to it. And the Senator from the 19th
 8 was not able to explain with any specific detail
 9 or any valid reason why he connected that part of
 10 the community of Broward to the rest of
 11 Congressional District 20.
 12 Mr. President, and, members of the Senate,
 13 based on these reasons and the reasons I expressed
 14 earlier this week, I cannot support this proposed
 15 amendment and I will not be supporting House Bill
 16 1993 on this floor today, and I urge you to do the
 17 same.
 18 MR. PRESIDENT: Is there further discussion,
 19 further debate? The next person I have in line is
 20 the Senator from the 40th. You are recognized for
 21 debate.
 22 SENATOR JONES: Thank you, Mr. President.
 23 And I will be speaking against the bill. Ten
 24 years ago, and -- well, first of all, I would like
 25 to say that I generally don't like to operate in a
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1 partisan manner, but what I will do is just state
 2 facts as I see them.
 3 But ten years ago, Republicans seemed to
 4 believe that if we could take the minority
 5 components of the Democratic party and put them
 6 into more seats, both in the legislative maps as
 7 well as in the Congressional maps, that with the
 8 districts that remained, that were theoretically,
 9 in their words, "bleached out," that they would be
 10 able to go toe to toe with the remaining Democrats
 11 and prevail.
 12 That theory played out and was executed, I
 13 think, quite well. Since then, there's been a
 14 second strategy that I think has developed,
 15 although that strategy does have some historical
 16 aspects to it as well, and that is to take people
 17 who vote a certain way and group them as well, and
 18 not just minorities, so as to get a predetermined
 19 result on the districts that are ultimately
 20 created.
 21 First, I would like to talk about a few of
 22 the minority access seats and then I'll talk about
 23 some of the remaining seats in which this strategy
 24 and criteria I believe will apply.
 25 I think it's unfortunate that the way that
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1 Senate -- that Congressional District 3 is drawn,
 2 which is currently represented by Coreen Brown, is
 3 drawn in the way it is drawn because it also
 4 extends over into Alachua County.
 5 As you know, this seat was challenged in the
 6 '90s for being over in Alachua County, and Senator
 7 Latvala held up the map and showed what a
 8 strange-looking district it was.
 9 But now we have a different map that still
 10 moves it over in that direction in defiance, I
 11 think, of what the map was that was drawn by the
 12 Court itself.
 13 And so, now there is a potential that someone
 14 may file another lawsuit yet that would involve
 15 the Congresswoman from District 3 in a challenge
 16 to her seat if this plan becomes law. I also
 17 think that there's some unfortunate tendencies in
 18 Congressional District 17.
 19 In Congressional District 17, you have what
 20 was formerly termed as the tail of that district,
 21 and that district is in Miami-Dade County, and now
 22 it also extends into Broward County under the new
 23 map. But the southern part of that, what was
 24 formerly that district, had substantial
 25 populations of African-Americans that were
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1 represented by Congresswoman Carrie Meek.
2 In fact, the Richmond Heights and Perrine
3 area, which has the highest voter turnout of -- or
4 one of the two highest voter turnout precincts,
5 sets of precincts in the state of Florida across
6 the board, not just for African-Americans, but
7 across the board, are now split up into three
8 districts that are now Hispanic.

9 So, the strongest black voting population in
10 the state now is now split up into three different
11 Hispanic seats. The Richmond Heights area is now
12 in Senate -- in Congressional District 21, which
13 will probably continue to be represented by
14 Lincoln Diaz-Balart.

15 The Perrine, Princeton and Florida City areas
16 are in District 25, which will probably be
17 represented by Mario Diaz-Balart, and the Coconut
18 Grove, south Miami and Goulds' areas are in
19 Congressional District 18 that will probably
20 continue to be represented by Congresswoman Ileana
21 Ros-Lehtinen.

22 What this ultimately does is pit those
23 communities against each other and in an
24 unfortunate way. In my mind, poor areas are poor
25 areas for a number of different reasons, but one
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1 seat that we currently have in Congress today, the
2 minority, that is the majority in that seat, is of
3 one racial makeup. This one is a little
4 different. This one has a racial makeup which
5 requires you to add the African-Americans, the
6 Hispanics, as well as the others, in order to
7 achieve that minority majority.

8 If you take a look at the populations of the
9 other minority majority seats, what you will find
10 is that those minorities, for their respective
11 parties, represent a majority of their party
12 registration.

13 So, in the African-American seats, the
14 African-Americans represent a majority of the
15 Democrats. In the Hispanic seats, the Hispanics
16 represent a majority of the Republican
17 registration in those districts.

18 In the district that he calls a minority
19 majority seat in District 11, the minorities
20 represent less than 50 percent together, the
21 Hispanics and the blacks, of the Democratic party,
22 which is the Democrats are a majority in District
23 11.

24 So, it'll be interesting to see whether or
25 not, if that seat should become an open seat and
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1 of the reasons is because people don't care about
2 them. And whether you can have good or great
3 representation from your Congressman, Senate
4 Senators or State Representatives may not
5 transform these poor areas, but if for no other
6 reason, it gives the citizens of those areas some
7 further heartening that their concerns will be
8 listened to, and they'll be rep -- it is even
9 better when they are represented by a champion
10 like Carrie Meek is for those communities.

11 It gives them hope, lessens their despair,
12 provides those residents with a stake in society,
13 it makes them less likely to want to destroy that
14 society, in the words of Martin Luther King.

15 But that doesn't mean that those three
16 Hispanic Congressmen won't do a good job
17 representing those areas. I just think that it
18 goes to the concerns of those minorities who are
19 in those areas whose votes will be split up in a
20 way that will make them feel disenfranchised.

21 To Senator Latvala's credit, he created a
22 district in Congressional District 11 which he
23 terms as a minority majority seat. And I think
24 that it is a fairly unique minority majority seat.

25 In every other Hispanic and African-American
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1 Congressman Davis runs in a different race at some
2 point in the next decade, whether or not those
3 factions will be able to come together to elect a
4 minority or if they will have a desire to.

5 So, it may not have the same characteristics,
6 or it certainly doesn't have the same
7 characteristics as the other minority majority
8 seats that we have in the state of Florida.

9 Also, I think that we had another opportunity
10 in the state to create a minority access seat and
11 that is the Osceola County and Orange County areas
12 in which there rests a -- or there resides a
13 significant number of Hispanics who happen to be
14 of Democratic registration for the most part.

15 And, in fact, over this last decade, changed
16 the registration of Orange County from a majority
17 Republican registration to one that was a majority
18 Democratic registration. And the Jones' fairness
19 map did attempt to create that district, and --
20 whereas, in the Latvala map, we don't have that
21 district created.

22 The second aspect that I wanted to talk about
23 deals with the political gerrymandering that
24 potentially disenfranchises some of the Florida
25 voters. If minorities can be disenfranchised by
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1 not having the ability to vote for or elect future
2 candidates of their choice, then I don't view it
3 as much of a stretch after viewing voting patterns
4 and tendencies in the state of Florida to conclude
5 that the average Floridean can, in fact, be
6 disenfranchised when they are unable to elect the
7 candidate of their choice.

8 As we all know, Florida is virtually a 50/50
9 split in the numbers of Republicans and Democrats
10 that are registered, but not only that, if you
11 have an examination of the available data, I think
12 you will find that the philosophy and voting
13 preferences of the Legislature do not reflect the
14 philosophy and voting references of the state of
15 Florida.

16 And the plan that we have before us today,
17 the Congressional plan, as well as the legislative
18 plans, will only exacerbate that condition. Let
19 me give you a couple of examples. I don't believe
20 that a majority of the -- in fact, the
21 supermajority of the state of Florida desires to
22 attack the courts. I think they respect
23 separation of powers.

24 I don't think that a majority of the state of
25 Florida believes that the choice of a woman to
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1 In Congressional District 10, which is
2 represented by Congressman Bill Young, the
3 district is drawn so as to come in from the bottom
4 and extract out the black population in St.
5 Petersburg, Florida, giving him what would be
6 termed as a bleached-out district.

7 And what that does is, in my mind, it may
8 relieve him from the need to be more sensitive to
9 those concerns of those citizens. But, again,
10 there is a swing of 7.4 points in registration
11 from more Democrat to more Republican.

12 The district goes from being a majority --
13 well, a plurality, a Democratic seat of
14 40.3 percent Democratic to a plurality Republican
15 seat of 43.2.

16 In District 16, which is represented by Mark
17 Foley, there is a swing in registration of nearly
18 five points. And six points in performance from
19 more Democrat to more Republican.

20 And in District 22, represented by E. Clay
21 Shaw, Congressman Shaw, there is a swing of 13
22 points from more Democratic to more Republican and
23 provides substantially better performance for the
24 Republicans.

25 And of course, Senator Latvala did indicate
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1 have an abortion should be restricted. I don't
2 believe that the majority of the state of Florida
3 believes, or the supermajority of the state of
4 Florida, believes that vouchers should be enacted
5 that will operate to the detriment of public
6 schools or that tax breaks should go to the
7 richest 2 percent only. I think that 90 to
8 98 percent of the people of the state of Florida
9 that might feel a little differently about that.

10 And so, the amendment, or the bill, seeks to
11 change the performance, and in some cases, the
12 registration makeup of districts in an effort to
13 elect more Republicans and change the
14 philosophical bent of the Legislature as compared
15 to the state of Florida. And this happens in
16 Congressional Districts 2, 5, 10, 17, 22, and 24.

17 For example, in Congressional District 2,
18 there is a swing of 5.3 points less Democratic and
19 performance is reduced for Democrats by 3 percent.

20 In Congressional District 5, there is a swing
21 in registration of more than 10 points, 10.8
22 points to be exact, and almost six points in
23 performance from Democrat to Republican. And that
24 district is represented by Congresswoman Karen
25 Thurman.

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1 that incumbency protection was one of the criteria
2 that he was looking to preserve when it came to
3 Congressman Shaw and he does a real good job of it
4 there.

5 And finally, in Congressional District 24, I
6 think all of us are well aware of the
7 well-publicized game of political chicken that
8 went on between us and the Speaker of the House in
9 creating a district that he would have the
10 potential of being able to run in. And basically,
11 what we did there was create such a district.

12 So, in conclusion, Mr. President -- or Madam
13 President, I would just like to say that there
14 were a couple of opportunities to -- there was at
15 least one more opportunity to create another
16 Hispanic access seat in the state that we didn't
17 take advantage of.

18 It's unfortunate that we may force
19 Congresswoman Brown another lawsuit. I think that
20 the strategies associated with this particular
21 plan cause us to have a Congressional delegation
22 as well as in our legislative plans, a group of
23 people elected from the state of Florida that may
24 not necessarily reflect the philosophies and
25 voting patterns of the public at large.

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1 And so therefore, because of those concerns,
2 I would like to register my concern for this plan
3 and will express that in my vote as being negative
4 for this plan.

5 Thank you, Madam President.

6 (Senator Carlton Presiding as President.)

7 MADAM PRESIDENT: I have the Senator from the
8 28th and the Senator from the 33rd, then the
9 Senator from the 36th and then the Senator from
10 the 15th.

11 SENATOR LATVALA: Madam President.

12 MADAM PRESIDENT: Senator from the 19th.

13 SENATOR LATVALA: I regretfully do this, but
14 I think I'd like to suggest the absence of quorum
15 again. This is very important work, and we've
16 got, you know -- we need to have maximum
17 participation, I think, to be on the record of
18 this.

19 MADAM PRESIDENT: Secretary, open the machine
20 for a quorum call. I want to make sure that I was
21 handed a correct list. We are in debate,
22 Senators. I had the Senator from the 28th, then
23 the Senator from the 33rd, the 36th, the 15th.
24 Did I miss anyone? Senator from the 5th. Senator
25 from the 33rd, you are recognized for purposes of
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1 districts currently represented by Democrats, that
2 less than 70 percent on an average, and that is an
3 average, remain in the same district. And as I
4 pointed out, in Senate District Number 5, only
5 45 percent of the Florideans who live in that
6 present district will be in the new Senate
7 District Number 5.

8 There are a number of factors. If you look
9 at Senate District Number 16, you will find that
10 this district is made more Republican by shedding
11 200,000 Democratic-leaning voters in Palm Beach
12 County while adding 100,000 voters in Charlotte
13 County. And I remember hearing a lot of folks say
14 over in Charlotte County that they wanted to stay
15 on that coast and not go across the state of
16 Florida.

17 We also have been told through the courts,
18 through the Supreme Court jurisprudence, that the
19 principles of compactness, contiguity,
20 preservation of political subdivision,
21 preservation of communities of interest,
22 preservation cores of prior districts, protection
23 of incumbents in compliance with Section 2 of the
24 Voting Act is very critical for our determination
25 in making districts for the voters.
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1 debate.

2 SENATOR CAMPBELL: Madam President, Senators,
3 listen up for a second if you could. You know,
4 reapportionment is one area in which appearances
5 do matter. The appearance that the Florida Senate
6 is using the political process to make political
7 deals should be abhorrent to all of us.

8 We have an obligation to make sure that we
9 adhere to the principle of equal representation
10 for equal numbers of people, otherwise known as
11 one person, one vote. The current elected
12 officials represent the will of the Florida
13 electorate. We should respect Florida voters and
14 by this plan, we are not respecting Florida
15 voters.

16 This map is dictated solely by partisan
17 politics, not the best interest of the folks in
18 the state of Florida. This is not -- this map is
19 not and does not represent the testimony from the
20 people throughout the state that I heard at the
21 public hearings. This map makes significant
22 disruption to the present districts in the state
23 of Florida.

24 I note that in District 8 currently
25 represented by Democrats -- I note in eight
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1 If you look at District Number 25, which is a
2 new district, there's no way that you can tell me
3 if the folks in Immokalee have any of those common
4 interests with the folks in Hiialeah. You also
5 can't tell me that new Senate District 25 is
6 compact. It's one of the largest districts in the
7 state of Florida.

8 The final version of this Congressional map
9 is a result of a deal that was made in closed
10 rooms and was not designed to benefit Florideans,
11 but to benefit only one Floridean. We should not
12 vote for this map.

13 MADAM PRESIDENT: Senator from the 36th, you
14 are recognized in debate. Senator from the 36th.
15 Senator from the 15th, you are recognized in
16 debate.

17 SENATOR POSEY: Thank you, Madam Chairman.
18 And I'll be real, real brief. I think we've
19 already taken up too much time on this. There's
20 been so much redundant discussion, it's like a
21 nightmare. I have heard all of this stuff before,
22 I've had to live through all these crazy
23 statements like the alternative called the
24 Fairness Plan.

25 I mean, there was nothing about that plan
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1 that was fair to a single one of my constituents
 2 in three counties. It sure sounds great when you
 3 are trying to sell it, but it was not a Fairness
 4 Plan to anybody that I represent. I can't say
 5 that loud enough or clear enough or repeat it
 6 enough times to equal the number of times it's
 7 been called a Fairness Plan. It's grossly unfair.
 8
 9 Furthermore, I would just like some
 10 clarification from the Chairman. We talk an awful
 11 lot about incumbency protection and that has a
 12 tone and tenor to it that I guess historically has
 13 turned my stomach.
 14 In reality, the meetings that I have
 15 attended, the citizens who have shown up haven't
 16 called it "incumbency protection," but they have
 17 pleaded with us to please try not to un-elect the
 18 people that they have elected.
 19 They have, every hearing that I attended,
 20 they said, Listen, we have elected representatives
 21 from our locality. They know the local people,
 22 they know the local issues and they know the local
 23 problems, and therefore, We would appreciate if
 24 you don't try and do serious damage to those
 25 people that we have chosen already to elect us.
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1 Mr. Chairman, is that what you mean when you
 2 talk about incumbency protection?
 3 MADAM PRESIDENT: Senator from the 5th, you
 4 are recognized in debate. Senator from the 15th,
 5 he'll try to respond to your question in debate.
 6 We have already had a period of questions and
 7 answers. Senator from the 5th, you are recognized
 8 for debate.
 9 SENATOR SMITH: Thank you, Madam President.
 10 I'm going to try to be brief also because we have
 11 gone through this a long time and I've got my
 12 script and I've already kind of weeded it down
 13 short.
 14 I want to tell you that I don't normally
 15 agree with the Senator from the 38th on gambling,
 16 Senator, I'm going to go ahead and confess to you,
 17 I'm running a pool over here. Right now, 5 days
 18 is the longest anybody says the Federal court will
 19 uphold this map.
 20 So, if anybody wants to get in, you've got to
 21 get around the 5-day mark and the over and under
 22 is 15 minutes. Somebody went with that.
 23 I believe that this map is not going to work,
 24 it won't be upheld, and it won't be upheld for
 25 these reasons: What they've done to Karen
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1 Thurman, what they've done with Coreen Brown and
 2 what they've done with Cliff Sterns -- and by the
 3 way, I must say, it's bipartisan. There's nobody
 4 that likes what they have done to Alachua County.
 5 I believe what they've done to Alachua County
 6 will not be upheld because they have taken a
 7 pocket of Democratic, strong Democratic voters,
 8 and they have diluted that vote and they have
 9 diluted that vote in a way that's designed for --
 10 not at all for incumbency protection.
 11 What they did with Karen Thurman's seat is
 12 that they took that seat and when they needed to
 13 lose 50,000 people, they basically displaced more
 14 than a quarter of a million folks to make sure
 15 that they cut it in a way which allowed Coreen
 16 Brown to come all the way over to Jacksonville
 17 into Alachua County, which hadn't been allowed by
 18 the courts before and won't be allowed this time.
 19 So, mercifully, I'm going to be short. I
 20 have made my pitch, I've saved my party ticket and
 21 I've stayed off my script. But I'm telling you,
 22 what we are doing with this map won't be upheld.
 23 Thank you.
 24 MADAM PRESIDENT: Thank you. Senator from
 25 the 36th. Senator from the 35th, would you like
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1 to see if you could find the Senator from the 36th
 2 so that he doesn't miss his turn in debate?
 3 Senator from the 35th, Senator Rossin. Senator
 4 from the 36th would like to debate and we need to
 5 find him, if you would do that or he'll lose his
 6 turn here. Senator from the 34th in debate.
 7 Senator from the 34th. Senator from the 28th, you
 8 are recognized in debate.
 9 SENATOR KLEIN: Thank you very much, Madam
 10 President. I would also just like to comment on
 11 concerns that I have on the House Bill 1993 that
 12 we are currently considering.
 13 There are different types of gerrymandering
 14 that may occur in the process of redistricting.
 15 One is gerrymandering which impacts racial
 16 and other minority groups and disenfranchises them
 17 by packing or cracking or doing something which
 18 isolates them into one district and then sort of
 19 takes them out of other districts where they may
 20 have an influence in the outcome of the election.
 21 There's also the type of gerrymandering that
 22 is political gerrymandering done solely for
 23 political purposes and we are not only talking
 24 about incumbency protection.
 25 We are talking about the opportunity of
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1 increasing the opportunity for Republicans, in
2 this case, which are in control of the process, to
3 pick up seats, to take away seats from incumbents.
4 And certainly in the two remaining seats, the two
5 new seats that are going to be available to
6 Floridians based on an increase in population, to
7 design them in a way in regional areas where they
8 will be, by and large, only have an opportunity to
9 elect a Republican.

10 And this is done in the context of pushing in
11 and pulling out and doing things, because it's
12 like a balloon, if you push in one place, it's
13 going to come out in another.

14 And the problem with all of this is that it
15 goes back to the question of what is fair. And we
16 have heard this term today. And how do we reflect
17 one person, one vote in the process.

18 Access to the ballot box is the key here in
19 making sure that everyone has an opportunity to
20 elect someone who can represent their interests.
21 We all know from the last election, from the
22 registration in Florida, which is still in the
23 hundreds of thousands more Democrats than it is
24 Republicans, that Florida is a state that's very
25 competitive throughout the state.

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1 possible so that they did achieve that, whereas,
2 in Democratic districts, to distinguish the
3 strategy, many people were moved out just to
4 accomplish the opposite.

5 In Congressional District 1, the current
6 census shows that this district needed to lose
7 population, it has to lose around 44,700 people to
8 bring it into compliance with the one person, one
9 vote requirement. Because this Congressional
10 district is located in the extreme western
11 Panhandle, the only district that had -- that this
12 excess population could be moved into is
13 Congressional District 2, which is obviously
14 adjacent.

15 But this map picks up 21,000 new voters in
16 Washington County so they can put more Bay, Walton
17 and Okaloosa Counties' voters in the 2nd
18 Congressional District to change the political
19 balance in Congressional District 2.

20 This plan maintains the district as a strong
21 Republican district. Vice-president Gore received
22 30 percent in the old Congressional district and
23 30 percent in the new Congressional District 1.

24 Under this map, there are also two new split
25 counties, Walton County and Okaloosa County, and I
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1 There are certain areas of the state, there
2 are certainly regionally more concentrations of
3 one political party over another. But there are
4 many areas of the state, large geographic regions
5 of the state, which are competitive.

6 The problem with this map is that it's
7 designed to elect Republicans in as many places as
8 possible, that's political gerrymandering. It's
9 not necessarily done with incumbent protection in
10 mind, there are some cases where it is, but there
11 are also situations in which Democrats are pushed
12 into one district so that it frees up other
13 opportunities in surrounding districts.

14 We have heard about a number of the
15 districts, and I think I'll touch on just a few of
16 the districts I don't think were touched on
17 because I think one of the principles that we try
18 to achieve is to make sure that there is a minimal
19 amount of change in districts when we do the
20 redistricting process.

21 We have heard in the case of Congresswoman
22 Thurman that 200,000 people were literally moved
23 in order to accomplish a change of a district.

24 Well, in the Republican districts in many
25 cases, things were kept in place as much as

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1 believe the testimony was not to divide those
2 counties.

3 In Congressional District 7, which is most of
4 Seminole and Volusia Counties and part of Orange
5 County, this district is significantly
6 overpopulated containing 82,844 people more than
7 the ideal population. This map significantly
8 changes the shape of Congressional District 7 in
9 order to accommodate the creation of a new 24th
10 District based in Orange and Seminole Counties.

11 And we've talked about why did that occur
12 today at the last minute in terms of a political
13 accommodation which may have been good for a
14 member of the Legislature to get a new district,
15 but may not necessarily be in the best interests
16 of people that live in those communities.

17 The map does significantly alter the shape of
18 this district. It remains based in Volusia
19 County; however, and it will continue to lean
20 Republican like it does now, but unlike new
21 Congressional District 5, which is the Thurman
22 district, this seat's political character is not
23 changed under any of the proposals.

24 Congressional District 8, which contains a
25 large part of Orange County and a part of Osceola
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1 County that's currently represented by Congressman
2 Keller, this Congressional district is located in
3 the heart of one of the state's major growth
4 areas, central Florida. It is one of the top five
5 most overpopulated districts in the state.

6 The district is overpopulated by 143,102.
7 The new 8th District which remains an Orange
8 County-based district goes from a district that
9 right now leans Republican to one that leans more
10 Republican. For example, Vice-president Gore
11 received 49 percent of the vote in the current
12 District 8 but this plan's new District 8 takes
13 that down to 45 percent.

14 And again, a similar strategy all across the
15 board. When they were Republican districts, the
16 move was to move a percentage of voter performance
17 down to make them less competitive in terms of the
18 local population being Democrat and having an
19 opportunity to be represented by a Democrat in
20 Congress.

21 Congressional District 10, which is Pinellas
22 County, Representative Bill Young, one of our
23 great Congressmen, this district is underpopulated
24 by 55,486 people, the secondmost underpopulated
25 district in the state.

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1 In Congressional District 12, which contains
2 central Florida counties Hardee and Desoto and
3 parts of Highlands, Hillsborough, Pasco and Polk,
4 which is represented by one of our former
5 colleagues, Representative Alan Putnam, the
6 district is slightly overpopulated by 32,000.

7 The district remains a strong
8 Republican-leaning district, Vice-president Gore
9 received roughly 44 percent and about the same
10 under the new district.

11 In Congressional District 14, I think we
12 talked about Charlotte, Lee, and Collier Counties,
13 that's Representative Porter Goss. That was a
14 large district, remains a solidly Republican
15 district.

16 Representative Dave Weldon's district, which
17 is District 15, about the same as well. It is a
18 heavy Republican district.

19 Congressional District 19, which is
20 Representative Robert Wexler, which is my area,
21 it's the most overpopulated district in the state
22 of Florida with about 161,000 people over. The
23 new 19th District remains a Palm Beach County,
24 Broward County district. Just under 80 percent of
25 the people in the old district are in the new

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1 This plan picks up new Pinellas County voters
2 from the 9th Congressional District and loses
3 almost 70,000 Pinellas County voters to the new
4 11th District. This switching in and out of
5 Pinellas County voters makes the new 10th more
6 Republican. Under the old district,
7 Vice-president Gore carried 54 percent of the vote
8 and in the new Congressional District, only
9 49 percent of the vote.

10 In Congressional District 11, which is
11 currently represented by Congressman Davis in
12 Hillsborough County, this district is slightly
13 underpopulated with only 11,128 people under the
14 ideal number; however, this plan packs almost
15 70,000 new Pinellas County and Manatee County
16 Democrat voters in the 11th district thereby
17 increasing the Gore percentage from 54 percent in
18 the new district to nearly 60 percent in the new
19 district.

20 Obviously, the inverse principle, the
21 opposite, put more Democrats in a district that's
22 already Democrat to drain them out of the
23 surrounding districts and offer opportunities for
24 Democrats in the surrounding districts to
25 effectively compete in those races.

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1 district and remain strongly Democratic.

2 Again, a push, the effort was to continue and
3 even add Democrats in that district and take them
4 out of the surrounding districts, which are
5 Republican districts.

6 In all, I just want to add one more thing and
7 it is just a reference I was handed this morning,
8 it's on the Republican party of Florida web site,
9 it is a letter from the Chairman, and I will just
10 enter this into the record and just leave it with
11 our Chairman, Chairman Latvala.

12 It is a reflection from the Chairman of the
13 Republican party about the importance of
14 reapportionment and the importance of getting
15 these two new seats and the importance of taking a
16 couple of Democrats out. Obviously, consistent
17 with the strategy of the map itself and I think,
18 again, it is sort of a consistency of strategy of
19 the political gerrymandering part.

20 While I understand the process, and I do
21 respect the Senator from the 19th and the work
22 that he's done, and I do appreciate in working
23 with him, he is one of the best members we have in
24 this chamber, again, the criticisms and the
25 concerns that I have that I think should be

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1 reviewed very carefully by the Court relate to the
 2 questions that have been raised by the members in
 3 this chamber today about political gerrymandering,
 4 gerrymandering which has resulted in minorities --
 5 and not only minorities but other groups of
 6 populations in the state that have communities of
 7 interest that have been deprived by this map.
 8 Madam President, I will conclude my remarks
 9 and ask the members to not vote in favor of this
 10 map today.
 11 MADAM PRESIDENT: Thank you. The Senator
 12 from the 34th does not wish to debate. So, we
 13 have the Senator from the 36, then the Senator
 14 from the 12th, then the Senator from the 19th.
 15 Did I miss anyone? Senator from the 25th.
 16 Senator from the 36th.
 17 SENATOR MEEK: Thank you, Madam President. I
 18 guess, members, it is important for us to know
 19 what our responsibilities are as it relates to
 20 this Congressional map.
 21 I gave comments the other day on the House
 22 map, and I just want to say as it relates to this
 23 Congressional map and the proposals that were
 24 proposed on the fairness map, this map is, we are
 25 begging, I think we are imploring the courts to
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1 draw these districts or to have us back in this
 2 chamber to do the right thing.
 3 Some of these districts are totally out of
 4 what I may call understanding of not only
 5 listening to the public hearings but as it relates
 6 to following the will of the people of the state
 7 of Florida and I think that's very important,
 8 something that I hold to the upmost.
 9 I made comments earlier about south Florida
 10 and I think it's important for us to remember in
 11 that region of southeast Florida, there's quite a
 12 bit of explaining to do, and I don't think that
 13 that explaining is definitely going to lead the
 14 courts in thinking that we are passing out a good
 15 work product.
 16 I think it also gets very interesting north
 17 of the I-4 corridor as it relates to the amount of
 18 explaining that's going to have to happen within
 19 the courts of why we did what we did there.
 20 I want to talk for a moment about Congressman
 21 Hastings' district and I think it's something that
 22 is very -- it is something that we need to pay
 23 very close attention to, members.
 24 The area of Century Village that was referred
 25 to earlier by the Senator from the 32nd, when you
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1 put 5,000 people within a district that can change
 2 the outcome of a primary race, even a resident was
 3 to run for office, it would, if not unseat, come
 4 close to unseating the incumbent.
 5 And I think as it relates to the map being
 6 drawn and I believe the Senator from the 19th
 7 referred to the fact that I had some concerns
 8 about Congressman Hastings not being in his
 9 district, rightfully so, but I took no part in
 10 drawing the Congressman into his district.
 11 As it relates to taking in Century Village,
 12 if I was asked, I would say that that may not be a
 13 good thing to do. Yes, they are Democrats, but as
 14 it relates to being able to have minority
 15 representation, there may be a candidate that may
 16 not hold the same values as Congressman Hastings,
 17 there may be a candidate that may sway the vote
 18 based on other reasons to make sure that
 19 Congressman Hastings doesn't return back to the
 20 United States Congress.
 21 One of the most powerful members in the U.S.
 22 Congress serves on the rules committee, foreign
 23 affairs, and I think it's something that we need
 24 to pay very, very close attention to.
 25 I referred also earlier as it relates to
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1 Congressional District 17. I think it's important
 2 that we remember that it was 123 years before you
 3 had an opportunity to link communities together of
 4 individuals that have been underrepresented in the
 5 past, and I believe when I say that, I just want
 6 to drop it on communities of interest.
 7 As it relates to the bottom of Congressional
 8 District 17, I think it's important for the
 9 members to remember, reflect back on the comments
 10 made by the Senator for the 40th District just the
 11 other day, that these individuals as it relates to
 12 the communities of common interest in
 13 Congressional District 17, and that's why I have
 14 great problem with seeing 17 go so far into
 15 Broward County.
 16 Not the fact that Congresswoman Meek doesn't
 17 want to represent south Broward, it is the fact
 18 that those communities: Coconut Grove, Richmond
 19 Heights, south Miami, Goulds, Florida, Naranja,
 20 Florida, Homestead, Florida and also Florida City
 21 are being left out of the northern part of Dade
 22 County where they share communities of interest.
 23 Now, I was at the Miami meeting and there
 24 were lot of comments from those areas of elected
 25 officials and also individuals that are un-elected
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1 that knew that those were financially challenged
 2 communities, such as the north part of that
 3 district, that there were businesses that needed
 4 small minority business representation on the
 5 Congressional level.
 6 There were communities where you have
 7 un-scaled, disproportionate HIV/AIDS infection
 8 rates which their U.S. Representative advocates on
 9 their behalf in Congress. There were communities
 10 that were like Florida City, Homestead and some
 11 parts of the city of Miami, they didn't have a
 12 champion in the Congress to be able to bring back
 13 those kind of Federal grant programs and even
 14 bringing in south Miami to be able to assist them
 15 meeting, to meet their obligations as a municipal
 16 government to the very people that they represent.
 17 When you look at communities of interest and
 18 I think it's important for us to remember, it's
 19 not all about, you know, the color of one's skin,
 20 but about the issues that are in those
 21 communities.
 22 There was a reason why we had a -- the bottom
 23 of that 17th Congressional district to be able to
 24 allow those individuals some representation in the
 25 U.S. Congress. And I think it's important that
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1 the members understand that, you know, don't plan
 2 a vacation because if you vote this map out today,
 3 the courts will either have us back in here or
 4 they will try to do it themselves.
 5 Now, I know that a lot of pressure is being
 6 placed on Florida right now. You know, some
 7 articles and some individuals may say the balance
 8 of the U.S. Congress sits in the Florida
 9 Legislature, but we must do the right thing,
 10 ladies and gentlemen.
 11 And I don't blame some of you in the room for
 12 saying, Well, you know, we have got to make sure
 13 we pick up a couple of seats, or what have you.
 14 But I think you need to make sure that we uphold
 15 our constitutional responsibility as the
 16 Legislature in making sure that we represent our
 17 constituency well.
 18 The Senator from the 40th also made another
 19 comment, Madam President, as I come in for a
 20 landing, of the fact that those communities in the
 21 south Dade -- when I say south Dade, I say south
 22 of 395, is that those communities and the reason
 23 why they have those communities of interest along
 24 that bottom part of Congressional District 17, he
 25 mentioned that the only jobs that were available,
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1 the only places these individuals had to live back
 2 in the day and the reason why we have a west
 3 Perrine, and the reason why we have a Goulds,
 4 Florida, and the reason why we have a Naranja, and
 5 the reason why we have a high population of
 6 individuals that have a community of interest in
 7 north Dade, south Dade is the fact that that is
 8 the only place they can live, and guess what,
 9 their children live there and their grandchildren
 10 now live there.
 11 So, by us not taking Congressional District
 12 17 into south Florida or south Dade, Miami-Dade
 13 County, we are systematically disenfranchising
 14 those communities that need the very
 15 representation that the Congressional member from
 16 the District 17 provides.
 17 And they are going to be left out of that
 18 kind of funding, they are going to be left out of
 19 that kind of concern for their issues. Those
 20 businesses will not receive the kind of SBA
 21 attention, or Small Business Administration
 22 attention, that they deserve.
 23 Those health care agencies that serve the
 24 disproportionate issues as it relates to health,
 25 HIV/AIDS, diabetes, other issues, that are
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1 prevalent in those communities,
 2 disproportionately. And it's unfortunate that
 3 that is going to take place.
 4 So, I urge you today, members, to please vote
 5 against this plan. I will. There are many others
 6 that will. But let's try to do the right thing
 7 the first time. But if we get the opportunity to
 8 vote on this plan again or a plan that we have an
 9 opportunity to change, let's change it and let's
 10 keep those comments that I have made and others
 11 have made as it relates to the things that need to
 12 change in this map.
 13 Madam President, I want to thank you for the
 14 opportunity to speak to the Florida Senate.
 15 MADAM PRESIDENT: We'll have the Senator from
 16 the 25th and then we'll have the close from the
 17 Senator from the 12th and the Senator from the
 18 19th. Senator from the 25th, you're recognized in
 19 debate.
 20 SENATOR SAUNDERS: Thank you, Madam
 21 President. Just very quickly, I want to talk
 22 about the southwest Florida coast, District 14.
 23 Obviously, one of those two counties, Lee County
 24 or Collier County was going to have to be split
 25 because of the overpopulation. I think there were
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1 695,000 people in those two counties combined.
2 I want to thank Senator Latvala for his
3 efforts to develop a southwest Florida
4 Congressional district that keeps the vast bulk of
5 the population of southwest Florida in that
6 district.
7 About 96 percent of that district is
8 comprised of people living in Collier and Lee
9 Counties, a total of about 613,000 people in that
10 district live in those two districts, and I think
11 that is a very good, compact district for
12 southwest Florida.
13 Thank you.
14 MADAM PRESIDENT: So, further discussion or
15 debate on the bill? If not, Senator from the 12th
16 is recognized to close on the bill.
17 SENATOR WEBSTER: Thank you, Madam President.
18 I would like to tell you what happened before and
19 then tell you why this process this time is
20 better.
21 Ten years ago, as a member of the minority
22 party and the House of Representatives, I
23 participated in reapportionment then as well as
24 ten years before that. And I felt like I
25 participated in a process and I observed a process
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1 that was flawed and unfair.
2 Some of the things that you may not know
3 about if you weren't there ten years ago, there
4 were times when the doors to reapportionment and
5 to all of the computers were locked and no one
6 could get in.
7 As a matter of fact, if you saw what the
8 House of Representatives had, it was more like
9 Fort Knox than it was a legislative committee
10 staff room. The wall must have been at least 10
11 or 12 inches thick and the door was a coated door
12 and it was huge. There also were computers that
13 were slow, but they are only slow certain times.
14 And it would have taken, seriously, it would have
15 taken at least six to eight months to draw a plan
16 using the computer that we were assigned.
17 And then when we produced our maps, there
18 would always be a technical flaw, they were ruled
19 out of order because some water body wasn't
20 included, or whatever, and then they would just
21 pass on and say, This amendment is a bad amendment
22 because it's technically flawed.
23 And that was a sad day, I think, but when I
24 was given a chance to be, to serve as -- or the
25 opportunity to serve as Chairman of
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1 reapportionment, I purposed one thing, and that
2 was that we would establish a process based on
3 three principles: It would be fair, open and
4 inclusive. Inclusive in that we started, I guess,
5 with our redistricting software, FREDs, which was
6 developed over many years, it was available to
7 all.
8 Members were trained. There were staff that
9 supported, no matter whether you were Republican
10 or Democrat, and there were maps produced, as many
11 maps as you wanted in whatever flavor or color you
12 wanted to pick. The public was given the same
13 data that we had and the same program for \$20.
14 And if they didn't have the \$20, they could go to
15 their local library or university and access it
16 there free of charge.
17 Then, there were statewide hearings, 24
18 hearings in the summer and fall, and some of them
19 were long. I spent more time attending all those
20 public hearings than I have spent in the
21 legislative sessions up here for this time.
22 And a lot of people showed up, over 3500
23 people, and not all testified, about 1200 of those
24 testified, others just came to listen and to watch
25 and to observe. Many of them brought either
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1 things they wanted entered into the record in a
2 written form or in other ways corresponded through
3 E-mails or publications.
4 All of those were recorded, all of those were
5 transcribed, some of them were on TV. And much of
6 this plan that we have before us today reflects
7 what happened at those public hearings, and I
8 appreciate Senator Latvala and the job that he did
9 in producing this plan.
10 Then we established an Internet site, web
11 site. All the maps, all the statistics, all the
12 transcripts, all the correspondence, written and
13 E-mail, all of the legal information that we had
14 available was all posted there. People had an
15 opportunity to access that in whatever way they
16 could.
17 And then at most of the hearings, I reminded
18 the public, either because I was questioned or
19 quizzed by another member or one of the public or
20 just because it needed to be said, that every
21 city, every county, every small, little town is
22 represented by at least one Senator and one
23 Representative, and some by more.
24 And so, we have, at least for this body, we
25 had 40 reapportionment information centers and we
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1 gave every single one of you all of the
2 information that we could about what was going on,
3 and you took that, hopefully, and integrated that
4 into your knowledge of your particular area.

5 Everyone was equipped with all the data,
6 everyone was fully equipped with all the working
7 technology, everyone was fully supported by our
8 staff here. Our two staff directors, John Guthrie
9 and Dawn Roberts, who did a great job in producing
10 the process that was good and everyone was fully
11 able to participate in the process.

12 This was a good process, a process that we
13 can all be proud of. Everyone may not be
14 completely happy with the outcome, but everyone
15 was given a fair chance.

16 In my mind, from the beginning, and I think I
17 said, I cannot guarantee that you will win,
18 because the majority of this body is decided by 21
19 people, maybe all Republican and maybe Republican
20 and Democrat, but it takes 21 to make a majority.
21 That's what the majority party is, whatever,
22 whoever, wherever you can get 21 votes.

23 So, I couldn't guarantee you 21 votes, but I
24 could guarantee you an opportunity to participate,
25 and I think everyone had the opportunity to

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1 and I will hear from the Senator from the 19th.
2 You are recognized to close on House Bill 1993.

3 SENATOR LATVALA: Thank you, Mr. President.
4 We probably could have done very well with just
5 that close, we should have done it the other way
6 around. That was a very compelling story about
7 the difference in the process this time and the
8 difference in the process in the past and we have
9 Senator Webster to thank for that whole process
10 the way it was designed and conducted with the
11 public hearings and the software, and so forth.

12 We have -- I have a couple of things I want
13 to say in response to some of the points that were
14 made by some of the speakers earlier, not to dwell
15 on them but to just sort of try to correct the
16 record a little bit.

17 To the best of my knowledge, Senator from the
18 32nd, we have not paired any incumbents in the
19 plan that is before us today on this map today.
20 I'm not sure where you got your information, but
21 we even -- the Senator from the 10th did an
22 amendment the other day that took Congresswoman
23 Thurman out of the district she was in and put her
24 back in her old district.

25 We did the same with Congressman Hastings.
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1 convince others so that they could at least get
2 the opportunity to gain that majority, everyone
3 was given a fair chance to make their case. Often
4 your ideas were included, sometimes they weren't,
5 but you still got to participate fully.

6 The way to guarantee a flawed plan is to have
7 a flawed process. But the way to guarantee that
8 you can have a good plan is to have a good
9 process. And I would submit to this Senate and to
10 the people that are listening and to anyone that
11 would like to know, I believe we had a good
12 process and that is well on the way to having a
13 good plan, which we have before us today.

14 MADAM PRESIDENT: Thank you, Senator from the
15 12th. Madam Secretary, before the Senator from
16 the 19th closes on his bill, we would like to
17 verify the presence of a quorum.

18 So, if you would please open the machine so
19 Senators can indicate their presence.

20 (Quorum call.)

21 MADAM PRESIDENT: Senators, if you would give
22 your attention to the Senator from the 19th while
23 he closes on the bill.

24 (President McKay Presiding.)

25 MR. PRESIDENT: Let's keep the machines open
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1 And to best of my knowledge, there are no
2 Congresspeople paired against each other,
3 incumbents.

4 Also to the Senator from the 32nd and the
5 Senator from the 33rd, I was a little surprised at
6 some of your criticism of the map that is before
7 us, particularly in regards to -- let's say, for
8 example, Collier County. I think I heard
9 criticisms from both of you with regard to the
10 problems with -- the eastern part of Collier
11 County being included in a new Congressional
12 district with the east coast.

13 And I want to just point out to the body that
14 the Campbell plan that was voted on the other day
15 in this body submitted by the Senator from the
16 33rd, supported by the Senator from the 32nd, both
17 had Collier County in a district with Miami-Dade
18 and Broward Counties.

19 Also, Senator from the 33rd, you know what's
20 coming next. You expressed some criticism about
21 why in the world would we put Charlotte County
22 into the 16th Congressional District with
23 Congressman Foley. So, you can imagine how
24 surprised I was when I noticed that your map also,
25 which you've presented to this body, had Charlotte
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1 County in the 16th Congressional District.
 2 So, accidents happen, I know. We are coming
 3 to the end of a long journey. As Senator Webster
 4 noted, we followed a process that was more open,
 5 more accessible, more responsive than any previous
 6 effort. We published the maps on the Internet,
 7 distributed software to every public library so
 8 that every Florida citizen could participate.
 9 Believe you me, I have enough maps from
 10 enough members of Congress and interested citizens
 11 to attest to how widespread and easy the software
 12 that we had was to use. We have had literally
 13 hundreds of comments, ideas, maps. We maintained
 14 a spirit of openness and a focus on public
 15 interest and the map before you today reflects the
 16 success of this process.
 17 This plan reflects the goals of the people of
 18 Florida and the wishes of their representatives.
 19 It complies with the many legal and constitutional
 20 requirements. It reflects the diversities of our
 21 state's communities and people. And as shown in
 22 today's debate, has been subjected to detailed
 23 review and analysis.
 24 As we move to a vote, let me briefly return
 25 to a few of the principles and key elements of the
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1 plans that I discussed the other day that we took
 2 into consideration with this plan.
 3 First of all, we followed the Federal and
 4 State requirements. These include contiguous
 5 districts, zero population districts, and
 6 compliance with the Voting Rights Act. We also
 7 followed the desires of the public to protect
 8 existing incumbents. The public clearly stated
 9 this in our hearings, and to the best of my
 10 knowledge, this map leaves every incumbent in his
 11 or her district. Also, the core of each district
 12 is preserved.
 13 In some areas, the public requested that we
 14 unite political subdivisions and we tried to
 15 accommodate that request. Of course, in those
 16 areas that requested division, we also tried to
 17 accommodate those requests. We also worked with
 18 the members of the House, the Senate, and
 19 Florida's members of Congress in drawing these
 20 plans.
 21 As each of you know, my door has always been
 22 open and the committee staff has been fantastic in
 23 putting in long hours to accommodate all of the
 24 requests and questions. Ultimately, the goal in
 25 this process is to provide for good representation
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1 for districts that are consistent with the law and
 2 that relate to identified communities of interest.
 3 Throughout this process, people defined
 4 community of interest in varying ways. In some
 5 parts of the state, the people said that cities
 6 are the key communities. In other parts, it's
 7 counties.
 8 In others, communities were defined by the
 9 people in those areas and their representatives
 10 based on other factors, including the economic
 11 base of an area, such as agriculture or tourism,
 12 relative income levels and levels of government
 13 assistance provided, the average age of an area,
 14 particularly in areas with relatively high levels
 15 of senior citizens, historical ties within and
 16 among neighborhoods, and environmental concerns
 17 such as Everglades' restoration or beach
 18 preservation and protection.
 19 In many parts of the state, these bills were
 20 in conflict, and many of the speakers today
 21 highlighted those areas and goals. We worked very
 22 hard to resolve these conflicts and the map before
 23 you represents the best plan to accommodate all of
 24 those goals. We have discussed the details of
 25 many districts in this debate, but I would like to
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1 take a few minutes to illustrate just a few final
 2 examples of how we addressed these goals in this
 3 plan.
 4 In Miami-Dade, in the south, we preserved the
 5 core communities of the Miami-Dade district, while
 6 creating a new district in the area. We protect
 7 minority voting strength as required by the Voting
 8 Rights Act and we do it without gerrymandering in
 9 Miami-Dade.
 10 We have discussed the current districts' neck
 11 stretching along down I-95 in Congressional
 12 District 17. Our map shows that a neck is not
 13 necessary to protect voting rights in the
 14 Miami-Dade area.
 15 Our proposed configuration districts in this
 16 area achieves a number of goals without the neck.
 17 It reduces voter confusion, it makes it easier for
 18 voters to organize and candidates to campaign. It
 19 protects the current incumbents, it protects the
 20 voting strength of the area's communities, and it
 21 enables the creation of a new district to increase
 22 the influence of the communities in this area.
 23 Congressional District 23 achieves an
 24 important goal of this process, the preservation
 25 of incumbents. It keeps Representative Hastings
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1 in his district and protects Representative Shaw.
 2 While some may say that the shape is unusual, it
 3 was necessary to achieve that end.
 4 Another area I would like to discuss before
 5 we vote is the area covered by proposed Districts
 6 3, 7 and 24. These districts closely follow
 7 communities of interest. The new Congressional
 8 District 24 is created from the high-growth
 9 communities from the Highgrove, Orange and Volusia
 10 areas.
 11 Congressional District 7 is required to
 12 move -- must be moved to create the new district,
 13 but our proposed District 7 still meets our goals.
 14 The new District 7 keeps the current districts
 15 cored together in Seminole County and in Volusia.
 16 It also unites the tourist and beach areas and it
 17 unites the relatively older communities of St.
 18 Johns, Flagler, Putnam and Volusia.
 19 The configuration of the new 3rd
 20 Congressional District protects the incumbent,
 21 protects the voting strength of the minority
 22 population in the area, continues the clear
 23 community links between Jacksonville and Orlando
 24 and gains needed population from the Gainesville
 25 area, another inland economic center, and allows
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1 countless hours, long hours, dedication to this
 2 issue. I know it's been of interest to you for a
 3 long time.
 4 And, Senator Webster, thank you so very much
 5 for your dedication on this issue and your
 6 investment in time and emotion. And again to
 7 Senator Laurent, thank you so much, and to their
 8 staff. And let me comment, Senators, that
 9 compared to 1992, you-all have conducted
 10 yourselves on this sometimes politically-charged
 11 issue with tremendous restraint and decorum and
 12 all Floridians can be proud of the professional
 13 manner in which this chamber has handled this
 14 issue. Thank you very much for that stability.
 15 We are going to take a short break for lunch.
 16 Lunch is going in the Senate lounge.
 17 (End of Senate legislative session regarding
 18 reapportionment.)
 19
 20
 21
 22
 23
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 25
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1 the unification of the beach communities and their
 2 related economic communities in the neighboring
 3 districts.
 4 As I noted, our guiding principles are the
 5 State and Federal Constitutional requirements, the
 6 desires of the public and its representatives, and
 7 the uniting of communities of interest as defined
 8 by the people in these communities.
 9 I thank all of you and the members of the
 10 House and Florida's members of Congress for
 11 working with me through this process. It's been a
 12 long and educational process, and I'm glad to see
 13 it nearing a successful completion.
 14 And with that, Mr. President, I move the
 15 bill.
 16 MADAM PRESIDENT: Thank you, Senator.
 17 Senator, from the 19th moves that House Bill 1993
 18 be placed on final passage. Secretary, unlock the
 19 machine. Members will prepare to vote. Have all
 20 members voted? Have all members voted?
 21 Secretary, unlock the machine and record the vote.
 22 THE READING CLERK: Twenty-five yeas, 14
 23 nays, Mr. President.
 24 MADAM PRESIDENT: Show the bill passes.
 25 Senator Latvala, thank you so very much for your
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1 CERTIFICATE
 2
 3 STATE OF FLORIDA:
 4
 5 COUNTY OF LEON:
 6
 7 I, MONA L. WHIDDON, Court Reporter, certify
 8 that I
 9 was authorized to and did stenographically report the
 10 foregoing proceedings and that the transcript is a true
 11 and
 12 complete record of my stenographic notes.
 13 DATED this _____ day of _____, 2002.
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