

Submitted 7/12/01 #10

**LEAGUE OF
WOMEN VOTERS
OF FLORIDA**

SANDY SHEETS, PRESIDENT

540 Beverly Court, Tallahassee, FL 32301-2506



Public Hearing on Redistricting, July 12, 2001

Tallahassee, Florida

I am Mary Knight, Government chair for the League of Women Voters of Florida. Thank you for holding this public hearing on a subject dear to the heart of the League.

Now that Florida has a population of almost 16,000,000 we will have 25 instead of 23 congressional districts. These figures represent a sizeable increase in the number of people that will be represented by members of the Congress, and the Florida Senate and House.

Speaker Tom Feeney announced a schedule of twenty public hearings to be held in different locations throughout Florida. We sense that his intent is to invite public scrutiny through these public hearings and the web page. We applaud him for these initial steps toward an open and inclusive process. However, public hearings are not the only thing needed to assure an open and inclusive process.

Redrawing district lines is always challenging. The public needs to be involved and to do so must have access to the same software available to the members of the Legislature. This would afford individuals and groups the opportunity to draw plans or properly examine legislative members' plans.

- Also the public and legislators need time between markup sessions to fully provide testimony and examine any amendments that are filed. We ask that each committee chair hold at least two workshops after a proposed committee bill is available to the public and at least 14 days prior to full committee action. Use of teleconferences throughout Florida to take public testimony on redistricting plans would be helpful.
- A rule should be adopted to give legislators sufficient time to prepare amendments

- to committee bills and give the public time to analyze the maps and amendments, before members take a final vote.

Open access by state government is an important tenet of the LWV. We believe that an independent commission to carry out redistricting would be more than advantageous in dissipating much of the contention surrounding the redistricting process. You legislators are placed in an untenable position every 10 years. To be required to draw your own district lines and those of your party members and friends may be compared to a surgeon operating on himself. It is much too painful.

The League believes that an independent commission appointed by the Legislature, one-half by Democratic and the other half by Republican members of both Houses would take away considerable pressure. From our perspective this process would be much fairer if it were conducted in the Sunshine.

Redistricting Standards

We encourage the legislative leadership to recognize the importance of adopting certain standards for drawing redistricting plans. This will be an opportunity for the majority and minority party to shine. The League's recommended standards are:

- 1) Districts should be drawn as equal in population as practicable.
- 2) The district lines should be drawn to form single member districts that are compact and contiguous. The division of counties and other subdivisions should be avoided.
- 3) Districts should not be drawn to dilute the voting strength of any racial or minority group.
- 4) Districts should not be drawn to favor or disfavor any incumbent, political party, or other persons.
- 5) The LWVF favors the maximum number of single member districts allowed by the Florida Constitution which due to the 2000 census will allow 40 Senate and 120 House districts.

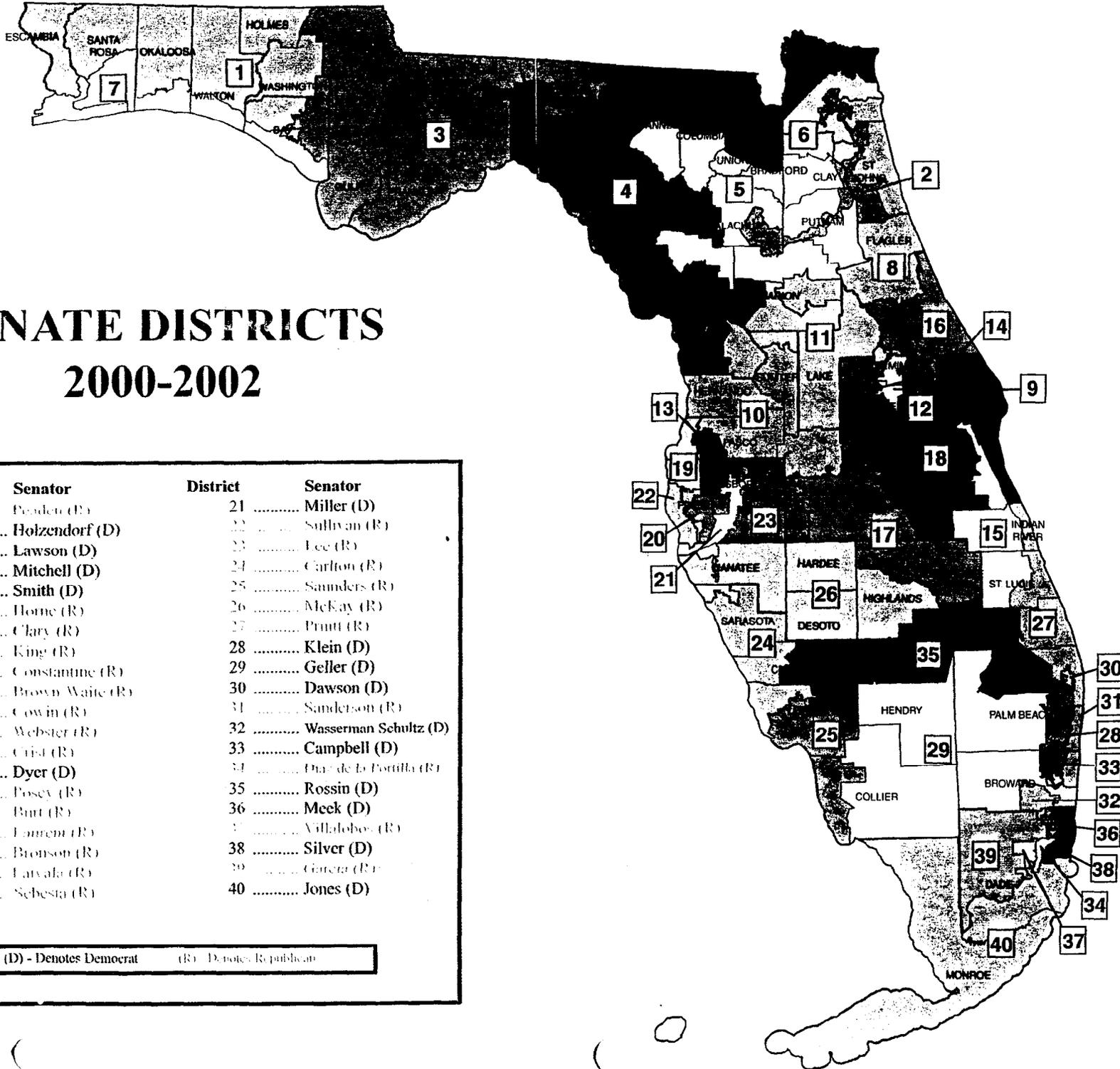
We encourage the legislative leadership to recognize the importance of adopting certain standards for drawing redistricting plans and to see that a fair and equitable plan is available for the next 10 years. No matter who draws the district maps, this session will be an opportunity for both parties to demonstrate the best in statesmanship.

REMARKS OF GENE FLINN
(Thursday, July 12, 2001)

There existed with past administrations a propensity of what might be termed as avowed purpose to create districts which were simply not geographically compatible and which in examining this senatorial district map, are not altogether dissimilar to that of Rorschach's ink spots. We have one such example in District 40, formerly the 39th ten (10) years ago, which runs from Key West to Kendall, then jumps over another Senate District to include Overtown in the municipality of Miami. That 200 mile stretch is quite a leaping frog scenario, and neither end has anything in common. The following districts are badly configured in my judgment. The Panhandle appears to be symmetrical and okay, but Districts 2 and 4 are clearly abominations. So are Districts 5, 14, 21, 32, 16, and 38. Also 31 needs in some fashion to be squared off. I'm not here today advocating that every district drawn must by necessity resemble the pattern of a checker board, but I would urge the Committee to endeavor to apply a rationale of some 'togetherness' so in grouping populations people of like purpose be linked compatibly together in a single senatorial district, rather than as we have seen an opting for a daisy chain again. This is an important and being you are engaged in a constitutional process requires such thoughtful consideration. I would hate to see your redistricting plan wind up before the United States Supreme Court as the chosen test case simply because it is a Florida election matter, again.

I'm available for any questions the Panel Members may have.

SENATE DISTRICTS 2000-2002



District	Senator	District	Senator
1	Peader (D)	21	Miller (D)
2	Holzendorf (D)	22	Sullivan (R)
3	Lawson (D)	23	Lee (R)
4	Mitchell (D)	24	Carlton (R)
5	Smith (D)	25	Saunders (R)
6	Home (R)	26	McKay (R)
7	Clary (R)	27	Pratt (R)
8	King (R)	28	Klein (D)
9	Constantine (R)	29	Geller (D)
10	Brown-Waite (R)	30	Dawson (D)
11	Cowin (R)	31	Sanderson (R)
12	Webster (R)	32	Wasserman Schultz (D)
13	Coff (R)	33	Campbell (D)
14	Dyer (D)	34	Diaz de la Portilla (R)
15	Posey (R)	35	Rossin (D)
16	Burt (R)	36	Meek (D)
17	Lammert (R)	37	Villalobos (R)
18	Bronson (R)	38	Silver (D)
19	Larvale (R)	39	Cinca (R)
20	Sebesta (R)	40	Jones (D)

(D) - Denotes Democrat (R) - Denotes Republican

COMMON CAUSE FLORIDA

*...citizens working for
better government*

Speaker #14

Testimony of Ben Wilcox, Executive Director, to the Reapportionment Commission - 7/12/01

Good morning Mr. Chairman and members of the committee. Thank you for allowing me the opportunity to make some brief remarks to you today. I'm Ben Wilcox representing the citizen's lobby organization Common Cause. Common Cause is a non partisan, member-based organization interested in government reform.

Reform of the reapportionment process has been a priority of Common Cause Florida since our organization was formed in 1974. We followed the redistricting process closely in 1982 and 1992. We plan to be heavily involved this time around as well and we applaud you for conducting these public hearings.

Let me say at the outset that while Common Cause believes the Florida legislature does many things very well – reapportionment is not one of them. History tells us that despite assurances by legislative leadership that this time the process will be different – there is a basic and undeniable conflict of interest present whenever the legislature begins drawing new district lines for itself and for congress. Districts are typically gerrymandered to guarantee the re-election of incumbents or the election of members to a higher office. The political party in control at the time will try to use the reapportionment process to strengthen its power and weaken the opposing party.

Redistricting by the legislature has at least two undesirable consequences. Typically deals are made on public policy issues in return for protection in the process. This results in flawed public policy. In addition, these gerrymandered reapportionment plans are legal lightning rods costing taxpayers dearly to defend.

You are probably aware that Common Cause Florida and the Florida League of Women Voters are working to place two constitutional amendments on the ballot in 2002. One amendment would create an independent citizen-based commission responsible for reapportionment. The other would create standards that the commission would follow in the redistricting process. We believe these amendments would solve many of the problems I have just mentioned. Obviously, even if these proposed amendments make it to the ballot and are approved by Florida voters in 2002 – they will not affect the current reapportionment process.

So this is your chance -- maybe your last chance -- to prove that the legislature can do a fair and responsible job of redistricting the state. To accomplish that goal – Common Cause Florida has the following suggestions.

First – the reapportionment process itself. Its important that the process be as open as possible to the public and the press. We should have access to the same computer software that is available to members so we

properly examine member-produced plans and draw our own alternative plans. That means the software should be affordable and available.

In addition, the public needs time between mark-up sessions to examine any amendments and provide testimony. We ask that each committee chair hold at least two workshops or mark-up sessions after they make their proposed committee plans available to the public and at least 14 days prior to full committee action. A policy should be adopted giving legislative members sufficient time to prepare amendments to the committee product and the public time to analyze the maps and amendments before a final vote is taken.

We also ask that you draw your redistricting plans based on standards that Common Cause has advocated for over 20 years. These standards have been endorsed in the past by both Republicans and Democrats.

First, the districts should be drawn as equal in population as possible.

Second, the district lines should be drawn to form districts that are compact and composed of contiguous territory.

Third, the districts should be drawn so as not to dilute the voting strength of any racial, ethnic or minority group.

Fourth, the districts should not be drawn to favor any person or political party.

And finally, the districts should be single member districts including 40 state Senate districts and 120 state House districts.

In conclusion, Common Cause Florida asks you to keep in mind that these are not your districts. These districts belong to the people of Florida and will likely be here long after you have left office. Reapportionment is a very difficult task and Common Cause Florida is ready to support you and work with you as the process moves along. Thank you again for the opportunity to speak to you today.

Reapportionment Standards Supported by Common Cause

A critical element for reapportionment reform is the establishment of strict anti-gerrymandering standards. While an independent commission is more likely to produce fair district lines than a state legislature, strict reapportionment standards can virtually eliminate the potential to manipulate district lines for political or partisan advantage.

Equal Population: The principle of one person/one vote is the prime guiding factor that an independent reapportionment commission should consider to ensure fair representation for all Floridians.

Single Member Districts: In some states, political gerrymandering is achieved by the establishment of multi-member rather than single-member legislative districts. The inevitable result of establishing multi-member districts — from which more than one legislator is elected — is to submerge the voting strength of ethnic or political party minorities.

Respect local political subdivision boundaries: Respecting these boundaries minimizes voter confusion, enables constituencies to organize for political action in an effective manner, and limits the ability to gerrymander.

Compactness: Compact districts make it easier for lawmakers to represent their constituents. When districts meander for hundreds of miles through several different counties, it is extremely difficult for lawmakers to provide effective representation for all the far flung communities in a district. Of course, in areas with low population density, districts will be less compact in order to ensure equal population.

Contiguity: Districts must be composed of contiguous territory. In addition to providing the same advantages of compactness, requiring districts to be contiguous also reduces the ability to gerrymander.

Anti-gerrymandering provision: The commission should be prohibited from drawing districts for the purpose of favoring any political party, incumbent legislator, or other person or group. The commission should not take into account the addresses of incumbent legislators, the political affiliations of registered voters, or previous election results for the purpose of engaging in political gerrymandering.

Protect minority voting rights: The commission should draw boundaries that comply with the Federal Voting Rights Act by not diluting the voting strength of any racial, ethnic, or language minority group.



CITY OF GAINESVILLE

Office of the City Commission

July 11, 2001

The Joint House and Senate Redistricting Committees
Florida State Legislature
Tallahassee, Florida

Gainesville and Alachua County form a unique niche in the State of Florida:

- We are the host community to The University of Florida where over 50,000 students and half as many faculty and staff form the nucleus of a teaching and research consortium that, without question, is held in the highest national and international regard. Santa Fe Community College is recognized as one of the best community colleges in the nation.
- Gainesville is a comprehensive primary, secondary, and tertiary medical center that serves citizens from all over Florida and the nation with state of the art health care and research. The Shands Teaching Hospital and healthcare system, The University of Florida's medical, dental, and pharmacy programs, plus UF's Brain Institute, the Veterans Administration Regional Hospital complex and North Florida Regional Hospital all provide invaluable service to people way beyond the borders of our region.
- Alachua County is blessed with wonderful natural treasures that are crucial to the essence of North Florida ecology, history, and culture.
- Gainesville and Alachua County have taken leadership positions in growth management strategies that embrace and enhance the economic, environmental, and social health of our region for generations to come.

The quarter million citizens of Gainesville and Alachua County have a very constructive record for engagement of state and national issues. We offer a healthy perspective as a crossroads of education, research, healthcare, and North Florida culture. It is in that spirit that we ask that The Joint House and Senate Redistricting Committees hold a special hearing in the City of Gainesville.

Be assured that our citizens will do everything possible to enthusiastically welcome, publicize, and accommodate such a hearing in Gainesville. I thank you for your attention to this request.

Sincerely,

Warren C. Nielsen
Commissioner-At-Large

WN:dlh

Statement on Fairness/DRAFT

"Fairness is what justice really is."

Potter Stewart, Associate Justice of the U.S. Supreme Court, Oct. 2, 1958

The reapportionment process, now underway, holds the possibility of altering Florida's political landscape for the next decade. Redrawing political boundaries based on new population data is one of the most important duties of the State Legislature. Floridians from all backgrounds and geographic areas will be closely watching as this process unfolds.

As we monitor this process, we will hold the legislators in Tallahassee to this simple standard: Is their plan – and the process they are using to shape it – fair? Is it fair to all of the state's citizens – to members of all racial and ethnic groups; to all communities of interest; to all residents of all parts of the state, regardless of party affiliation?

Fairness means allowing the public to have meaningful input into the reapportionment process.

Fairness also means ensuring that the public has the tools to review and understand the redistricting plans and comment on them accordingly and in a timely and meaningful fashion.

And fairness means a process and a plan that takes into consideration the concerns of the state's diverse ethnic communities, including African American, Haitian, Asian, and Hispanic communities.

Finally, fairness means listening to the public and respecting their sense of communities of interest. It means taking the time to understand areas of concern based on environmental, educational, social service and other public policy concerns.

We are a diverse group of advocacy organizations – from various political viewpoints, and from varying geographic areas -- who demand fairness in the redistricting process.

- We ask that hearings be held in more areas so that Floridians do not have to drive 200 miles just to have their voice heard.
- We ask that political subdivisions, such as cities and counties, be considered more strongly in the new proposals.
- We ask that the State Legislature commit to holding public hearings *after* plans are released so that the public can react to actual proposals.
- We ask that sufficient time be provided before any legislative action to allow the public to respond to all proposals that are to be considered at all legislative meetings, including committee meetings and floor votes.
- We ask that no plan be prepared or debated until after a full public debate on specific guidelines is held and guidelines are adopted and published.
- We ask that, as a minimum, these guidelines provide that districts meet all legal and constitutional requirements. AND that they as compact as possible, considering the necessity of protecting voting rights for minorities, protecting communities of interest, and respecting political subdivisions.
- Finally, we ask that all legislative actions on redistricting and reapportionment take place at times and in locations that maximize citizen participation.

As Justice Potter Stewart said a half century ago, "fairness is what justice really is." In asking for "fairness," we ask for nothing more than justice, and we demand nothing less.