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THE FLORIDA SENATE REAPPORTIONMENT  
SEPTEMBER 22, 2011

Transcribed by:  
CLARA C. ROTRUCK  
Court Reporter

1 T A P E D P R O C E E D I N G S

2 SENATOR GAETZ: Good morning, ladies and  
3 gentlemen, the Senate Committee on  
4 Reapportionment is called to order.

5 Would the Administrative Assistant please  
6 call the roll, and will somebody please turn  
7 down this PA system which I think they can hear  
8 me in Sopchoppy with this.

9 THE CLERK: Senator Gaetz.

10 SENATOR GAETZ: Here.

11 THE CLERK: Senator Margolis.

12 SENATOR MARGOLIS: Here.

13 THE CLERK: Senator Altman. Senator  
14 Benacquisto.

15 SENATOR BENACQUISTO: Here.

16 THE CLERK: Senator Braynon.

17 SENATOR BRAYNON: Here.

18 THE CLERK: Senator Bullard. Senator  
19 Dean.

20 SENATOR DEAN: Here.

21 THE CLERK: Senator Detert.

22 SENATOR DETERT: Here.

23 THE CLERK: Senator Diaz de la Portilla.

24 SENATOR DE LA PORTILLA: Here.

25 THE CLERK: Senator Evers. Senator

1 Florez. Senator Garcia. Senator Gardiner.

2 SENATOR GARDINER: Here.

3 THE CLERK: Senator Hays.

4 SENATOR HAYS: Here.

5 THE CLERK: Senator Joyner.

6 REPRESENTATIVE JOYNER: Here.

7 THE CLERK: Senator Latvala.

8 SENATOR LATVALA: Here.

9 THE CLERK: Senator Lynn. Senator  
10 Montford.

11 SENATOR MONTFORD: Here.

12 THE CLERK: Senator Negron?

13 SENATOR NEGRON: Here.

14 THE CLERK: Senator Rich.

15 SENATOR RICH: Here.

16 THE CLERK: Senator Sachs. Senator  
17 Siplin. Senator Sobel.

18 SENATOR SOBEL: Here.

19 THE CLERK: Senator Storms. Senator  
20 Thrasher. A quorum is present.

21 SENATOR GAETZ: Thank you very much, madam  
22 secretary. Senator Thrasher and Senator Florez  
23 have excused absences this morning, and I would  
24 like to take a moment of personal privilege  
25 before we go forward.

1           From time to time we are reminded that the  
2 members of the Legislature have lives outside  
3 of this building, and if you will permit me, I  
4 would like to read a couple of paragraphs from  
5 -- from a release which proves not only that  
6 one of our members, our distinguished Minority  
7 Leader has a life outside this building, but it  
8 is a life of achievement, accomplishment and  
9 service.

10           This comes from New York. It is entitled,  
11 "The National Council of Jewish Women Solutes  
12 Nan Rich at the Israel Benefit Luncheon."

13           It says, "The National Council of Jewish  
14 Women will honor its President from 1996 to  
15 1999, Senator Nan Rich, at its annual Israel  
16 Benefit Luncheon to be held, Tuesday,  
17 June 21st, in New York City.

18           Jewish daily Forward Editor, Jan Eisner  
19 will deliver the keynote address. The event  
20 benefits the National Council of Jewish Women's  
21 Israel program which fosters supports  
22 education, promotes the empowerment of women  
23 and bridges the gaps in society for Israel's  
24 vulnerable women, children and families."

25           And here is the salient part of this

1 release, and I quote, "In various posts with  
2 the National Council of Jewish Women, in the  
3 Florida Legislature and in her community Nan  
4 Rich has been fighting for women and children  
5 for decades. Nan's contribution towards  
6 strengthening the National Council of Jewish  
7 Women's work in Israel is enormous and we at  
8 the Council are proud to be honoring her at our  
9 annual Israel benefit.

10 The National Council of Jewish Women's  
11 work in Israel mirrors its work in the United  
12 States, advancing women's equality and  
13 strengthening the social safety net, ensuring  
14 the free exercise of religion.

15 During her presidency, Rich initiated the  
16 National Council of Jewish Women's Israel  
17 granting program which funds advocacy and  
18 service projects in Israel that focus on the  
19 needs of women and children of all backgrounds.

20 She developed the National Council of  
21 Jewish Women's relationship with Tel Aviv  
22 University, which led to the women and gender  
23 studies program there, the first of its kind in  
24 the Middle East, and she helped establish the  
25 National Council of Jewish Women's Israel

1           endowment fund to support its Israel work.

2           Rich also has a long association", of  
3           course, all of us know this, "with IPPE, a  
4           preschool readiness program for disadvantaged  
5           children that originated in Israel.

6           She was instrumental in launching IPPE in  
7           the 1980's in Miami-Dade County. Rich is  
8           currently the Minority Leader of the Florida  
9           Senate, a distinguished Senator and somebody  
10          who proves that you can have a life outside  
11          this building that adds to this community, that  
12          adds to this state, to this country and indeed  
13          to the world, Leader Rich.

14          The Chair recognizes the Leader. I caught  
15          her unawares. She didn't know I was doing  
16          this.

17                 SENATOR RICH: Thank you. You got me  
18          totally unaware.

19                 SENATOR GAETZ: It is fun to catch the  
20          Minority Leader unawares.

21                 SENATOR RICH: It is really very kind of  
22          you. I really appreciate that. I know that we  
23          all have lives before and after the Legislature  
24          and even during the legislative, our  
25          legislative years, and I feel fortunate that I

1 think I have been able to bring the experiences  
2 that I had in my years of involvement with the  
3 National Council of Jewish Women in those areas  
4 that you mentioned to bear in the legislative  
5 process, and it is just very kind of you.

6 I appreciate tremendously your recognizing  
7 me in this way. Thank you.

8 SENATOR GAETZ: Absolutely. Well, while  
9 some of the rest of us were traveling the  
10 state, Leader Rich was being honored  
11 internationally, but Leader Rich was traveling  
12 the state with us as well.

13 Members, when our Committee last met it  
14 was on the last day, the 60th day of the  
15 regular session, as you will remember.

16 We met in the House Chamber along with our  
17 House partners to announce the dates for our  
18 summer listening tour for gathering input on  
19 how laws, constitutional amendments and court  
20 cases related to redistricting should be  
21 applied in order to achieve equity and avoid  
22 retrogression, protect minority voting rights  
23 and meet the needs of communities throughout  
24 the state of Florida.

25 During the summer we have been very, very

1           pleased to have two Senators added to our  
2           Committee by the President, Senator Joyner and  
3           Senator Altman, and I believe Senator Joyner is  
4           here. Senator Joyner, good morning, Senator  
5           Altman, are you here?

6                     SENATOR ALTMAN: I am here, Mr. Chairman.

7                     SENATOR GAETZ: Okay, and both of them  
8           joined us for portions of our hearings across  
9           the state. So thank you for your  
10          contributions, and welcome to the Committee.

11                    At the time that we last met we were also  
12          waiting for a response to the Legislature's  
13          request to the Department of Justice for  
14          pre-clearance on Amendments 5 and 6.

15                    You will recall that pre-clearance means  
16          that before any change to an election practice  
17          can be implemented, the Justice Department or a  
18          Federal court must determine that the change  
19          will not result in retrogression or  
20          back-sliding in the voting opportunities for  
21          racial minorities.

22                    The Legislature took the position in its  
23          pre-clearance submission that Amendments 5 and  
24          6 quote, "Preserve without change the  
25          Legislature's prior ability to construct

1 effective minority districts and that in  
2 promoting minority voting strength, the  
3 Legislature may continue to employ whatever  
4 means were previously at its disposal", end  
5 quote.

6 I am pleased to say that several weeks  
7 after we last met the Justice Department,  
8 having reviewed this rationale, pre-cleared the  
9 Amendments based upon the rationale that we  
10 provided, and I am sure it gives members of  
11 this Committee some comfort to know that  
12 Amendments 5 and 6 will not be applied in a way  
13 that interferes with the Legislature's ability  
14 to advance the cause of minority voting rights  
15 and representation.

16 Members, you know, because all of you were  
17 in our tour, either in whole or in part, that  
18 we actively sought out public opinions about  
19 how district lines ought to be drawn, and how  
20 maps and ideas ought to be applied in order to  
21 resolve problems that members of communities  
22 and neighborhoods saw.

23 And the maps and the testimony that  
24 citizens brought to the table is where we will  
25 start our deliberations today.

1           Let me emphasize that. Our commitment,  
2           Representative Weatherford's commitment and our  
3           commitment here in the Senate is that the maps  
4           provided by the public will be the basis for  
5           developing any proposals that come from this  
6           committee to the Florida Senate.

7           So we will be taking very, very seriously  
8           the input that we received and you will see, I  
9           hope, I certainly hope that the maps that  
10          ultimately come from this Committee will be  
11          derived from the input from the testimony that  
12          we receive from the public.

13          Of course, we have to remind everybody  
14          that our plans must comply with State and  
15          Federal law and those legal requirements will  
16          limit our choices.

17          You will see as we begin to go through  
18          maps and come to consensus or not and express  
19          our views on where lines ought to be drawn in  
20          particular areas that many members of the  
21          public submitting maps may not have appreciated  
22          some of the nuances of Federal court decisions,  
23          and therefore, we have to deburr or refine or  
24          mature some of those good ideas in order to  
25          make sure that they will stand in good stead

1 with the courts.

2 For example, we may find ourselves  
3 compelled by Section V of the Federal Voting  
4 Rights Act or by the mandates of the first tier  
5 of Amendments 5 and 6 to draw some districts  
6 that aren't as compact as we would otherwise  
7 hope, and as those who testified and provided  
8 maps would want.

9 Of course, we will consult with legal  
10 counsel throughout the process to be, to ensure  
11 that plans coming out of this Committee are  
12 within the parameters of State and Federal law.

13 Just a few fun facts for you. During the  
14 summer we traveled 4,000 miles, to 26 locations  
15 across Florida. Our public hearings were  
16 attended by nearly 5,000 people, while the  
17 Florida Channel was streaming a live video feed  
18 on the web that was watched, we believe by  
19 thousands more.

20 Members and professional staff heard more  
21 than 71 hours of testimony, more than 1,700  
22 people testified, and I can say that I had the  
23 opportunity to listen to every single one of  
24 those testifiers.

25 We heard a lot of good ideas,

1 extraordinary insights into communities and  
2 neighborhoods, insights that we couldn't have  
3 gotten, wouldn't have gotten if we would have  
4 stayed in Tallahassee and just listened to each  
5 other even as knowledgeable as all of us are  
6 about our own communities.

7 In truth, we also heard from many who  
8 objected to our decision to hear testimony  
9 prior to developing maps that would be voted  
10 out by this Committee.

11 I happen to agree and I think we made this  
12 point, Representative Weatherford certainly  
13 did, I happen to agree with the principle  
14 author of Florida's New Redistricting  
15 Standards, the Chairperson of Fair Districts,  
16 Ellen Freidin, she told our Committee last year  
17 that a map drawn before public hearings are  
18 held would not be in her words compliant or  
19 appropriate, and therefore taking public  
20 testimony before maps was drawn by the  
21 Committee was the right thing to do.

22 In addition to all of the testimony we  
23 heard, we collected hundreds of written  
24 comments and suggestions, and as of this  
25 morning the Legislature has received 64 maps

1 from the public, 60 more than were received in  
2 the last cycle.

3 So ten years ago when there was a  
4 redistricting process underway, there were four  
5 maps submitted by the public and we have 64  
6 maps submitted by the public to this point, yet  
7 we will continue to solicit additional public  
8 comments.

9 We will continue to solicit additional  
10 publicly drawn maps so that any maps that  
11 derive from the work of this Committee can be  
12 based upon the input we have received from the  
13 public, and then we can mature that input as we  
14 go forward over the next several weeks.

15 The increased level of participation, I  
16 would point out, is a direct result of how open  
17 and accessible our professional staff has made  
18 District Builder, which is our on-line  
19 application for the creation and submission of  
20 redistricting maps.

21 Citizens, as you know, can use the same  
22 redistricting software and demographic  
23 information used by Legislators and  
24 professional staff, and I believe that we have  
25 the District Builder table set up outside just

1 as we have had in the 26 public hearings that  
2 we have held across the state of Florida.

3 I personally observed how our professional  
4 staff has, have assisted hundreds and hundreds  
5 of people in using District Builder. In fact,  
6 I think that there are several instances that  
7 we could name where individuals came to  
8 hearings and they might have been a little bit  
9 sinical, a little bit frustrated.

10 They wanted to share their ideas, and  
11 thanks to our good professional staff and the  
12 fine work of our House professional staff,  
13 there were individuals were able to literally  
14 sit down until real time at the hearings,  
15 before the hearings, after the hearings, and  
16 with just a few minutes of help, to get on to  
17 District Builder, drew their maps or partial  
18 maps and were able to submit them right then  
19 and there, and then walked away feeling like  
20 they really had a piece of this process, and,  
21 indeed, they do.

22 In a moment I will recognize John Guthrie  
23 who is our professional staff director to show  
24 us the plans that we have received. Before I  
25 do, I want to take a moment to mention and

1 address some of the common themes that we heard  
2 this summer that I hope will implicate the work  
3 of this committee very, very directly.

4 First, as I mentioned, we learned  
5 information essential to our task by listening  
6 to communities that are actually affected by  
7 redistricting decisions.

8 Going out on the road and hearing what  
9 people have to say about their hometown  
10 provided insight we just couldn't have gotten  
11 any other way, and I would like to thank those  
12 just, and we did this at every hearing, whether  
13 they came with their fists clinched and their  
14 teeth locked together in distress over one  
15 thing or another, or whether they came with a  
16 proposal to make, we thanked everyone who  
17 participated.

18 It was the most open interactive process  
19 in this state's history as we look at  
20 redistricting.

21 Now, people have differing opinions as to  
22 what constitutes a fair district, and this is  
23 where the work of this Committee is going to be  
24 so important.

25 At no single hearing did we hear a

1 consensus among those who testified. We heard  
2 a lot of people say fair districts, just  
3 implement Amendments 5 and 6, but then when we  
4 got one more layer into the onion, we found  
5 that there were those who testified that they  
6 want us to prioritize protection of minority  
7 access.

8 Then there were those who said no, no, no,  
9 no, no, it is more important that we follow  
10 county and city boundaries, and then there were  
11 those who said, no, no, no, what is most  
12 important is that you don't break up  
13 communities of interest.

14 I think, for example, The Villages,  
15 Senator Hays, where there are three counties  
16 that really are involved in The Villages.

17 The Villages encompass an area of three  
18 different counties, and over and over again at  
19 The Villages we heard, please try as much as  
20 possible to keep us together even though we  
21 cross three county lines.

22 And so you can imagine now that the work  
23 of this Committee is going to be complicated by  
24 the conflicting, but sincerely meant testimony  
25 that we heard on the road, that was, whatever

1           you do, avoid retrogression, no, no, whatever  
2           you do, use compact lines, city and county  
3           boundaries, notwithstanding the fact we had  
4           some testifiers who pointed out to us that city  
5           boundaries looked like Rorschach blots in many  
6           cases in the state, and then there were those  
7           who said, no, no, no, communities of interest  
8           are more important, and then there were those  
9           who said, do it all.

10                    Their testimony was, do it all, you know,  
11           make us happy in all cases. I am afraid that  
12           what will happen is that no matter what we will  
13           do, we are not going to be able to please  
14           everyone, and we are going to have to make some  
15           decisions and those decisions have to be made  
16           within the context of the law, or our reading  
17           of the law, or the reading of the law that our  
18           legal counsel provides to us and that all of us  
19           rely upon.

20                    The House Redistricting Committee produced  
21           a synopsis of public testimony. We have it  
22           here. We have it for everybody. This synopsis  
23           illustrates the themes and also the conflicts  
24           expressed during the hearings.

25                    I found it interesting and well-organized

1 and I asked our professional staff to provide  
2 copies to each of you. Electronic copies are  
3 also available for the press, the public  
4 on-line and for the members of our Committee  
5 and members of the Senate.

6 But if you look at this I think you will  
7 see very vividly the expressions of specific  
8 concern by members of the public, but you will  
9 also see that there are apparent conflicts and  
10 that those are conflicts we are going to have  
11 to wrestle with and attempt to resolve.

12 Now, third, there was a strong desire,  
13 particularly among Supervisors of Elections, to  
14 see this process completed sooner rather than  
15 later.

16 As some of you may remember, there has  
17 been an exchange of letters between the  
18 Majority and the Minority Leader on this  
19 matter, and I will yield to the Minority Leader  
20 in a moment for any clarification she may want  
21 to make.

22 I took her comments at a Miami hearing and  
23 we have copies of her comments here for anybody  
24 that wishes to read them from the, from the  
25 transcript that as a member of the minority she

1 was shut out of the process ten years ago, not  
2 really welcomed to offer her ideas, but  
3 basically just said, this is the way it is.

4 And so I indicated that we would make time  
5 at every hearing to not only ask the Leader,  
6 but also ask any other Senator, if you feel  
7 like you are shut out of the process, you  
8 haven't been given an opportunity to present  
9 your ideas, here we are in public. We want you  
10 to present your ideas.

11 And one of the things that Leader Rich  
12 indicated in her letter back was that her, one  
13 of her real concerns is to make sure that this  
14 process is, A, transparent and B, that it moves  
15 in a timely fashion, and to that end we have  
16 accelerated the process as much as we feel we  
17 legally can, and in a moment I will indicate to  
18 you that I believe through conversations  
19 between myself and Chairman Weatherford, we  
20 have come to a potential schedule that is  
21 aggressive, and I hope will begin at least in  
22 some ways to respond to Leader Rich's very  
23 valid concerns.

24 But just so that you know, we have moved  
25 the beginning of session from March to January.

1           The beginning of these interim Committee  
2 meetings from December to September. Here we  
3 are in September, two months and-a-half earlier  
4 than we would usually meet.

5           District Builder has been available to the  
6 public and to every member of this Committee  
7 and every member of the Legislature throughout  
8 the summer.

9           Some of you will recall the meetings that  
10 we held where Mr. Guthrie and members of his  
11 staff gave us their time to make sure we all  
12 understood how to use District Builder, and I  
13 know at the time that some of us sort of glazed  
14 over and said, well, gee, are we really going  
15 to use this? Do we really need to know this?

16           Now is the time when all of that  
17 information and all of that tutoring really,  
18 really comes to the fore. And we have  
19 completed our listening tour, a full four  
20 months before the Florida Constitution even  
21 permits us to adopt a redistricting plan for  
22 state legislative districts.

23           We are very well ahead of the schedule  
24 compared to ten years ago when I wasn't here,  
25 most of us weren't here, but Leader Rich makes,

1 I think some very good points about how the  
2 process, if I take her comments to be correct,  
3 if I properly interpret her comments, how the  
4 process was more closed ten years ago.

5 And Leader, I would like to first tell you  
6 that if I took your comments made at the Miami  
7 hearing in any way that, different from how you  
8 meant them, let me apologize to you publicly.

9 I took the comments to mean that you were  
10 shut out as a member of the Minority, people  
11 weren't interested in your point of view, you  
12 were just shown a Feta Compli, and my  
13 commitment to you is that that would not happen  
14 this time, and I would, I would recognize you  
15 for any comments you may wish to make and any  
16 correction of my characterization of your  
17 comments that you may wish to add. Leader  
18 Rich.

19 SENATOR RICH: Thank you, Mr. Chair, and I  
20 appreciate your comments. I believe the one  
21 place where we probably diverged in what I  
22 believe I had said was, I focused on the fact  
23 that the process last time was not transparent  
24 and that maps appeared.

25 I can speak for myself and many of my

1 colleagues who felt the same way, and there is  
2 a difference between the Majority and the  
3 Minority and I have received a letter saying  
4 that I had mischaracterized the process last  
5 time.

6 Well, I didn't mischaracterize it from the  
7 point of view of the Minority Party and I know  
8 that you are working very hard to reverse that,  
9 and to see that that doesn't happen, and just  
10 your comments this morning and the number of  
11 maps that have been submitted show that  
12 obviously the process more people are involved  
13 and I think everyone here on both sides of the  
14 aisle feels that they are involved in this  
15 process.

16 And my comments were directed specifically  
17 at that lack of transparency, not in the sense  
18 of, you know, me or anyone specifically wishing  
19 to present, you know, necessarily a map. So  
20 that was the only place where I just had wanted  
21 to clarify that, and, you know, we are all  
22 here, we feel part of this Committee.

23 Vice Chair, our own Senator Margolis, and  
24 so we are here to work. We are here to work in  
25 the Sunshine, and to dispel kind of the idea

1 out there that this might be similar to the  
2 process ten years ago, because obviously from  
3 what you have said this morning and what we  
4 have done so far, the process is dramatically  
5 different than the one we participated or  
6 didn't participate in last year, ten years ago.

7 Thank you.

8 SENATOR GAETZ: Thank you very much,  
9 Leader, and just so that we can put the  
10 conversation in proper context and then behind  
11 us, recognize the Majority Leader for any  
12 comments he might wish to make.

13 SENATOR GARDINER: Thank you,  
14 Mr. Chairman, and obviously this is a new day,  
15 and I disagree with Leader Rich. I was a  
16 member of the Committee.

17 I traveled the state with my colleagues,  
18 not to Key West, but all parts of the state  
19 throughout. You know, the Bills ten years ago  
20 went through the process. We offered up to the  
21 Minority Party the opportunity to draw maps.  
22 They were voted on in Committee.

23 They were voted on on the floor, and if I  
24 remember correctly, passed with Democrat  
25 support in many cases. So obviously we can't

1 sit here and attempt to re-write history.

2 It is, you know, the facts are sometimes  
3 in the eyes of the beholder and who says them,  
4 but Mr. Chairman, I want to thank you for your  
5 leadership on this.

6 If you look at the number of public  
7 hearings that we have had around the state, and  
8 I think John Guthrie can confirm that we are  
9 ahead of schedule of where we were ten years  
10 ago.

11 The first map that was presented in  
12 committee was not until January, ten years ago.  
13 It was two days after the map or three days,  
14 John can confirm it, that the League of Women  
15 Voters put forward a map.

16 So I think that the aggressive timeline  
17 that you and Chairman Weatherford have shown  
18 shows that this is going to be transparent. It  
19 is going to be transparent just like it was ten  
20 years ago.

21 It is going to follow the same path and be  
22 heard in Committee and voted on and potentially  
23 amended as it was ten years ago. So again,  
24 there will always be interpretations of what  
25 happened ten years ago, but I am very proud of

1           what we accomplished ten years ago and the hard  
2           work staff put into it.

3           I am very proud of the direction we are  
4           taking this time around, the technology is  
5           better. The opportunity is better for the  
6           input from the public, and Mr. Chairman, you  
7           have embraced that and I appreciate that very  
8           much.

9           SENATOR GAETZ: Thank you very much,  
10          Leader. Let's get into some very specific  
11          areas where we heard testimony and where I hope  
12          we would, we would be able to come to consensus  
13          and give direction to our professional staff.  
14          Let's first talk about VTDs.

15          Supervisors of Elections said that they  
16          really wanted the new lines to follow VTD  
17          boundaries whenever possible, and they laid  
18          out, I think a convincing rationale for why  
19          that would be the case.

20          Now, again, sometimes there will be  
21          conflicts between following VTDs in 100 percent  
22          of cases, and then also following geographic  
23          and political boundaries, because rivers don't  
24          and highways don't always respect VTDs.

25          Most often they do, but sometimes they

1 don't, and so there will be opportunities here  
2 for us to make tough calls, but we heard the  
3 message from our Supervisors of Elections  
4 loudly and clearly and my request to the  
5 Committee is that we use VTDs as the building  
6 blocks of any maps that are derived from the  
7 public submissions we have had and that would  
8 therefore be recommended out of this Committee.

9 Is there any objection to our using VTDs  
10 as the primary building block of our maps?

11 All of us have heard the testimony. We  
12 certainly can discuss this issue, but I wanted  
13 to see if we can give our professional staff a  
14 sense of how the Committee, Democrats and  
15 Republicans, feel about this issue.

16 Is there anybody who would like to comment  
17 on the VTD matter?

18 A VOICE: Right behind you, Mr. Chair.

19 SENATOR GAETZ: Senator Storms. You are  
20 recognized.

21 SENATOR STORMS: Thank you, Mr. Chair. I  
22 do want to comment on VTDs. I just would like  
23 to have some understanding of how, what it is  
24 that we mean by using VTDs.

25 In my understanding of how we would use

1 those VTDs, this is the way, when Jay was  
2 training me, this is the way I used them.

3 I started first with, with the county as  
4 my primary goal, to keep the county in the  
5 district lines. So if I was drawing a  
6 district, then I tried to keep the whole  
7 district within a particular county.

8 Then if there was, if there was a  
9 municipality in that city or two, I tried to  
10 keep, and I was drawing the district within  
11 that county, so what I am trying to talk to you  
12 about is prioritizing the VTDs.

13 So then if I am in the county and I have  
14 been able to keep that entire county in that  
15 district, then I went to the municipality and I  
16 tried to keep the entire municipality in the  
17 district.

18 If there were multiple municipalities I  
19 tried to keep all of the municipalities in the  
20 county district, and then if I still needed to  
21 take people or move people, I went census block  
22 by census block to get me to where I needed to  
23 be, but then I used VTDs.

24 So I guess what I am saying for VTDs, is  
25 VTDs should be tool of last resort and not the

1 tool of first resort, because, you know, we  
2 should keep the political boundaries, to me  
3 political boundaries are counties,  
4 municipalities, census block, then VTDs in  
5 descending order like that.

6 And then the tool of last resort would be  
7 the VTDs. If I have to make a break at all, it  
8 would be the break on VTDs. Is that an  
9 accurate understanding, or is that not the  
10 accurate understanding?

11 SENATOR GAETZ: John, you have been  
12 working very closely with the Supervisors of  
13 Elections. You know what they have requested,  
14 why they have requested. Could you respond to  
15 Senator Storms's point, please?

16 MR. GUTHRIE: Thank you, Mr. Chairman.  
17 Senator Storms, my -- I think you have got the  
18 hierarchy almost exactly correct.

19 It is, for building districts, the  
20 smartest strategy is start with counties, take  
21 a look at cities.

22 SENATOR STORMS: Wait, wait, did you just  
23 say I was using the smartest strategy, because  
24 you can say that again?

25 MR. GUTHRIE: The -- I believe the next

1 level below municipalities would be VTDs, which  
2 is composed of one to several hundred blocks,  
3 and you only go to census block as the last  
4 resort.

5 So I would make that one clarification on  
6 your suggestion of the hierarchy, but what you  
7 say is exactly right, and when I and my staff  
8 are looking at planned scenarios, the approach  
9 that we are going to take is to start with  
10 counties, then look at cities, then try to  
11 finish out our districts with VTDs, where VTDs  
12 just don't make sense because they, and it gets  
13 kind of technical here, but because of how they  
14 lay down with the Interstate highways, with  
15 bays, et cetera.

16 In some cases the Supervisors if given  
17 another opportunity would say, well, that VTD  
18 really doesn't work for us. So I don't think  
19 we want to be dogmatic about using VTDs, but I  
20 think we do want to, want to be respectful of  
21 that intermediate level of geography that  
22 Supervisors of Elections provided for us so  
23 that we can help them implement the new  
24 districts as efficiently as possible and  
25 conduct future elections as efficiently as

1 possible.

2 SENATOR STORMS: Follow up, Mr. Chair?

3 SENATOR GAETZ: Yes, of course, Senator  
4 Storms.

5 SENATOR STORMS: So just so that I  
6 understand, if there is -- so in 5 and 6, the  
7 competition, the tension rather, is between  
8 whether it is compact, political boundaries,  
9 contiguity and essentially and then not  
10 protecting the, you know, incumbents, either  
11 protecting or harming them either way.

12 So, but they don't address -- it doesn't  
13 really address Voting Rights Act districts. I  
14 mean, it gives a nod toward it, but it doesn't  
15 really say it.

16 So I guess what I am wondering is, and  
17 what I would like to say something on the  
18 record, is if there is a competition, if there  
19 is a tension between a Voting Rights Act  
20 district and a political boundary, how do you  
21 make the break in the usage of VTDs?

22 In other words, do you then say, okay,  
23 here we have a minority access district, and so  
24 because we have a minority access district  
25 here, we cannot follow political boundaries and

1           then we are going to just default to VTDs?

2                     So you would be less inclined to follow  
3           the municipality or the county line and just  
4           use the VTD?

5                     I am trying to understand, because there  
6           will be some municipalities that will be carved  
7           up, you know, they won't have a single voice  
8           for there, and I know that there is the public  
9           testimony that said some people said they only  
10          want one, other people said they want 50  
11          elected officials representing them, not  
12          really, but four was fine with them.

13                    So I wonder how, how will it break like  
14          that? Which tool will you default to if it is  
15          a Voting Rights access seat?

16                    SENATOR GAETZ: John?

17                    MR. GUTHRIE: Mr. Chairman, thank you. As  
18          the Chairman sort of said in his comments  
19          previously, the standards in the Florida  
20          Constitution are set out in two tiers, and  
21          protecting the equal voting opportunities of  
22          minorities gets the highest level of priority.

23                    And so whatever we need to do in order to  
24          not retrogress and in order to preserve  
25          opportunities for minority voters in this

1 state, and that was the interpretation that the  
2 Legislature took in presenting Amendments 5 and  
3 6 to the U.S. Department of Justice for  
4 pre-clearance, that we are not going to let  
5 worries about compactness or political  
6 subdivisions trump the tier one consideration  
7 for preserving minority voting rights.

8 SENATOR STORMS: Final follow up, Mr.  
9 Chair?

10 SENATOR GAETZ: Sure and then we will go  
11 to Senator Latvala.

12 SENATOR STORMS: Yes. So that I am  
13 understanding, because I just wanted to be  
14 clear on how this is going to work, because the  
15 question we are asking is about VTDs, and my  
16 understanding about VTDs and merging 5 and 6  
17 is, you know, we start first with the political  
18 boundaries, political boundaries being county  
19 lines.

20 Then next is municipalities if at all  
21 possible, then VTDs, then census block, but,  
22 but the only overlay that you put over that is  
23 the question on every district, is this a  
24 minority access seat.

25 If it is a minority access seat, then the

1 filter that you use is how do we keep it from  
2 retrogression and in that case, instead of  
3 municipality and county line and municipality  
4 being the first tool that you use, it may be  
5 that you default immediately to the VTD which  
6 would be almost a tool of last resort in any  
7 other circumstance. Is that accurate?

8 SENATOR GAETZ: Mr. Guthrie.

9 MR. GUTHRIE: I think that is close, yes,  
10 that is very close. That is a good statement  
11 of where we are.

12 SENATOR STORMS: Okay, thank you.

13 SENATOR GAETZ: Thank you, Senator Storms.  
14 Senator Latvala, you are recognized, sir.

15 SENATOR LATVALA: With regard to the  
16 second tier of the Constitutional Amendment  
17 which would be the political boundaries and  
18 compactness, we are not saying that we would  
19 let the -- using the VTDs trump that section,  
20 are we?

21 SENATOR GAETZ: Mr. Guthrie.

22 MR. GUTHRIE: No, no, there may be a  
23 question in some people's minds about whether  
24 VTDs are, themselves, political subdivisions.  
25 They were drawn by, by the Legislature with

1 cooperation or in partnership with Supervisors  
2 of Elections for the purposes of making,  
3 running elections as efficient as it could be.

4 And the Supervisors who have been on the  
5 ground, you know, putting their ballots  
6 together, making their precincts, they know  
7 better than anyone what, what makes sense in  
8 terms of the political boundaries for election  
9 precincts.

10 And so, you know, it is -- but the  
11 language that was on the ballot for Amendments  
12 5 and 6 did refer to counties and cities as  
13 being political subdivisions.

14 So I think there is an expectation among  
15 the voters, as Senator Storms was talking  
16 about, that cities and counties will be  
17 provided higher respect than VTDs for purposes  
18 of making districts.

19 SENATOR LATVALA: Mr. Chairman?

20 SENATOR GAETZ: Yes, of course, Senator  
21 Latvala.

22 SENATOR LATVALA: With regard to the  
23 compactness standard, and particularly in rural  
24 areas I if have noticed that using the VTDs  
25 tend to produce some weird shapes, you know,

1           there is some jagged triangles that kind of go  
2           out to the side where there is not a lot of  
3           people and they have tried to connect folks  
4           together.

5                        So what my question probably relates to  
6           using the VTDs with relation to the compactness  
7           standard.

8                        MR. GUTHRIE:   Okay.   And on that what I  
9           would say is what would be helpful to this  
10          Committee is to continue our partnership with  
11          Supervisors of Elections through the process,  
12          so that if they have input about where the line  
13          should be drawn through that rural area, and if  
14          the Supervisors recommend an alignment that  
15          does not correspond with the VTDs, then it  
16          would be very efficient to take that better  
17          advice.

18                        SENATOR LATVALA:   Thank you.

19                        SENATOR GAETZ:   Thank you, Senator  
20          Latvala.   Senator Sobel, then Senator Detert.

21                        SENATOR SOBEL:   Thank you, Mr. Chair, and  
22          speaking of the Supervisor of Elections and  
23          their input, is there data, current and how do  
24          we take into consideration transient  
25          populations?

1           SENATOR GAETZ: By transient populations,  
2 you mean, for example?

3           SENATOR SOBEL: People move around.

4           SENATOR GAETZ: Migrant workers.

5           SENATOR SOBEL: Okay, yes, migrant  
6 workers, but is there --

7           SENATOR GAETZ: Tourists?

8           SENATOR SOBEL: Is there -- is there data  
9 current, and --

10          MR. GUTHRIE: That would not be in the  
11 Supervisor of Elections' data typically, but it  
12 would -- it is in the United States Census,  
13 which is the basis for the maps that you will  
14 draw.

15          So, and the way the census works is that  
16 people's existence is where people live is  
17 recorded as of April 1st, 2010. So where you,  
18 where your domicile was on that date determines  
19 where you are located for purposes of  
20 equalizing the population of Florida's  
21 Senatorial, State House and Congressional  
22 Districts.

23          SENATOR GAETZ: Senator Sobel.

24          SENATOR SOBEL: Thank you, Mr. Chair. So  
25 the Supervisors, when they give out any kind of

1 population, they don't give out any kind of  
2 population data for the cities or the counties?

3 SENATOR GAETZ: Mr. Guthrie.

4 MR. GUTHRIE: Supervisors keep records of  
5 who are the registered voters in a county. And  
6 redistricting is going to be based not on who  
7 is registered to vote, but on who was counted  
8 in the 2010 Census.

9 SENATOR SOBEL: Who was counted, okay.

10 MR. GUTHRIE: And the census made  
11 significant efforts to make sure that all of  
12 us, including transient or migrant workers were  
13 counted. Homeless individuals were counted in  
14 that process.

15 SENATOR SOBEL: Thank you.

16 SENATOR GAETZ: Senator Detert, you are  
17 recognized.

18 SENATOR DETERT: Thank you, Mr. Chair. I  
19 think frankly for any viewing audience and for  
20 some members we should explain the acronym,  
21 VTD, if you haven't already.

22 SENATOR GAETZ: Mr. Guthrie, can you give  
23 us --

24 MR. GUTHRIE: VTD is an official level of  
25 census geography just like a track or a block

1 group or a block. It stands for voting  
2 tabulation district.

3 In most cases in Florida they are very  
4 similar to precincts, but they are not  
5 precincts. They aren't controlled by  
6 Supervisors of Elections or County Commissions.  
7 The VTDs for the 2010 Census were set by us  
8 working with, in partnership with Supervisors  
9 of Elections prior to the census and they will  
10 remain as legal boundaries for the next ten  
11 years, until the Supervisors have another  
12 opportunity to set them again.

13 The direction that we gave Supervisors  
14 was, in recommending these lines or in drawing  
15 these lines for the counting of population,  
16 let's don't look back at the elections that  
17 have occurred over the past ten years, but  
18 rather let's look forward to the elections you  
19 will need to be conducting in the ten years  
20 after redistricting occurs.

21 SENATOR DETERT: And if I can continue.

22 SENATOR GAETZ: Yes, of course, ma'am.

23 SENATOR DETERT: Thank you for that. I  
24 think it is important, and I think your  
25 previous statements defining the difference

1           between registered voters and census is an  
2           important key issue.

3           And I would like to say that when it comes  
4           to using that as a component, I agree with  
5           Senator Storms that it should come third or  
6           fourth. I mean, it is very, maybe more  
7           convenient for Supervisors, because as we draw  
8           lines and boundaries that are county or city,  
9           we could be splitting precincts and it makes it  
10          a little bit more difficult for Supervisors to  
11          get their ballots correct when, you know, you  
12          are splitting precincts.

13          It happened to me, I was left off of  
14          several ballots which was probably why I won,  
15          because so was my opponent, but, you know, not  
16          the best way to go.

17          I think to use VTDs though as your main  
18          source, my goal is to have an ordinary citizen  
19          look at the map and have confidence in the map,  
20          trust in the system and just feel that, you  
21          know, there is a certain fairness to the issue.

22          If you do it according to the VTDs, I  
23          think you are going to get some crazy looking  
24          lines.

25          So that is why I think it should be a

1 component or a factor, but it shouldn't be the  
2 prime factor.

3 SENATOR GAETZ: Thank you, Senator Detert,  
4 and I think that as Senator Latvala indicated,  
5 a slavish devotion to VTDs would create some  
6 weird geometry.

7 But what the Supervisors were asking was  
8 that when you, you know, we have constitutional  
9 requirements to live by, but when we get down  
10 to how, how then to draw lines after we follow  
11 the constitutional requirements, what they are  
12 asking is, you know, pay some attention to  
13 VTDs, because if you don't it creates a  
14 substantial burden on Supervisors in preparing  
15 ballots and that sort of thing.

16 But President Margolis, our Vice Chair,  
17 you are next.

18 SENATOR MARGOLIS: Senators, I think we  
19 need to start with how many, how many Senate  
20 Districts, how many Congressional Districts fit  
21 in each county and make a determination, if you  
22 have to put two counties together or three  
23 counties together.

24 So if we start with the, with the amount  
25 of population in each county, we would know and

1           what I see in several of the legislative  
2           districts is crossing county lines, but two or  
3           three people crossing county lines instead of  
4           -- instead of, you know, just one or two.

5           I mean, you know, it gets to be a larger  
6           amount, and I don't know, and I think that that  
7           is one of the constant complaints I heard, that  
8           they cross county lines.

9           I don't know them. They don't come here,  
10          that kind of conversation. So it would seem to  
11          me if we took a county like Dade and a county  
12          like Broward and said, look, say this many  
13          Congressional Districts will fit into this  
14          county and this amount of House Districts and  
15          this amount of Senate Districts, we have a  
16          starting point, and we don't have to start  
17          taking people and putting them in multiple  
18          districts.

19          It might be one or two in a county, a  
20          large county, as opposed to five or six that  
21          are crossing county lines. I think that would  
22          be an easy way to start anyway.

23          SENATOR GAETZ: Thank you, Madam  
24          President, and I think as I use the phrase,  
25          using VTDS as building blocks, my understanding

1 of the Supervisors of Elections' testimony, and  
2 I think we heard from Supervisors at every  
3 single hearing that we held, what they were  
4 saying is when you get down then to past the  
5 city and county boundaries, when you feel you  
6 have met your constitutional requirements,  
7 don't get your pen out and go free style, don't  
8 just free style it. Then use VTDs as building  
9 blocks as you can. Leader Rich.

10 SENATOR RICH: Thank you, Mr. Chair.  
11 Going back to the VTD. On the Congressional  
12 Districts you have to have exactly the same  
13 number of people in each Congressional  
14 District, that is correct, right?

15 SENATOR GAETZ: Yes.

16 MR. GUTHRIE: Very close, yes.

17 SENATOR RICH: So if you are needing to go  
18 up or down, you know, plus or minus a few, is  
19 the VTD the place where you divide?

20 MR. GUTHRIE: No, for getting spot on  
21 equal population, you are going to need to go  
22 to block level.

23 SENATOR RICH: To block level.

24 MR. GUTHRIE: Yes.

25 SENATOR GAETZ: Particularly, Leader, in

1 Congressional Districts, because there, as you  
2 know, from the discussions we have had  
3 previously, the relevant court cases tell us  
4 that equal Congressional Districts mean exactly  
5 that.

6 Congressional Districts that have been  
7 next to each other that one has been 11 voters  
8 off from another or 11 people, I am sorry, off  
9 from another, we are declared to be not, not  
10 providing equal representation in the Congress.

11 So when you get down to that we are  
12 probably going to have to just the tweezers and  
13 that is, that is not going to follow any neat  
14 line, except I got to go pick up, Senator  
15 Storms I think very eloquently explained at our  
16 hearing in Orlando, you got to go with the  
17 tweezers then and you got to go pick up those  
18 six voters to make it work.

19 Now, when we get into the Senate and House  
20 Districts, then there is a variance that can be  
21 used if it is defensible, and all of the  
22 Supervisors are saying is, don't just be  
23 arbitrary and capricious or political at that  
24 point, follow the VTDs if you can.

25 But in Congressional Districts, there we

1           have really -- we have really got to keep them  
2           equal.   Senator Lynn.

3                    SENATOR LYNN:   Thank you, Mr. Chairman.  
4           We kept hearing as people have said, keep my  
5           county whole, I want to have one of whatever,  
6           and we know as much as people might like to do  
7           that, that is not going to be too easy to do.

8                    I like Senator Margolis' approach because  
9           it is very practical and she has certainly the  
10          broad experience.   She has been here a long  
11          time.   She has been here through several  
12          redistrictings.

13                   And so it is an excellent way, but the  
14          other thing that has come up in many of our  
15          meetings, and I have seen it so much where  
16          redistricting locally, areas of interest, and  
17          you brought up The Villages.

18                   We have -- there are many counties and  
19          areas that within counties that are very  
20          similar, and others that are very disparate,  
21          and as we start working through it with the  
22          requirements of the Constitution, of course, I  
23          think it is important to look at that as well,  
24          because if we throw sometimes a major city in  
25          with a very rural county, despite the fact that

1 we keep trying to protect those rural counties  
2 and so forth, there is something, there is a  
3 disconnect.

4 And I know of one situation that just  
5 occurred in Volusia County where they have put  
6 one very unique area in with one major city and  
7 it is so contradictory, but it is going to be  
8 what it is. It is the way they decided to do  
9 it. So I hope we pay attention to that as  
10 well.

11 SENATOR GAETZ: Thank you very much,  
12 Senator Lynn. That is -- before we move on,  
13 let's just take a quick break in the action and  
14 recognize our dear colleague and friend,  
15 Senator Bullard, who has been able to be with  
16 us for some but not all of our deliberations  
17 over the last few months.

18 And to tell her first that she looks  
19 great. She has got that Bullard smile on her  
20 face. She is back and we are delighted to see  
21 her.

22 Welcome back, Senator, we have been  
23 praying for you. We have been thinking about  
24 you and the prayers are answered. Here you  
25 are.

1           SENATOR BULLARD: Thank you, Mr. Chairman,  
2           and I do want to say that I am the weather girl  
3           this morning. When it rains, you know, some  
4           things happen. I want to say to you that I  
5           have been keeping up with everything and I do  
6           appreciate all, everything this Committee has  
7           been doing. I appreciate you very much. Thank  
8           you.

9           SENATOR GAETZ: Thank you, Senator.  
10          Senator Hays.

11          SENATOR HAYS: Thank you, Mr. Chairman.  
12          Mr. Guthrie, is the census block basically a  
13          sacred block that we cannot divide, or is it  
14          the VTDs or is there even a geographical area  
15          that has to be left intact as we build these  
16          districts?

17          SENATOR GAETZ: Mr. Guthrie.

18          MR. GUTHRIE: Mr. Chairman. Census blocks  
19          are the smallest unit of geography for which we  
20          have census population data. So that is the  
21          most granular level of geography that you can  
22          use.

23          But we have 484,000 blocks in the state,  
24          which gives you an almost infinite variety of  
25          permutation of how you put them together.

1           SENATOR HAYS: Okay, but the scenario that  
2 I am trying to define is we have the, well, for  
3 instance, two counties put together, population  
4 does not equal one Senate District so we have  
5 to go into another county and get sufficient  
6 numbers to meet that goal of what, 470,000  
7 people.

8           When we are going into that other county  
9 and carving out those residents, are we able to  
10 dissect a census block or must all of the  
11 census be kept intact?

12           SENATOR GAETZ: Mr. Guthrie.

13           MR. GUTHRIE: The software we are using  
14 does not support splitting blocks, and we would  
15 be in an interesting legal area. It would be  
16 very difficult.

17           You would need to sort of ascertain for  
18 cutting that block how many people are on one  
19 side of the line you drew, and how many people  
20 were on the other side of the line as of  
21 April 1st, 2010, and that would be a very  
22 difficult thing.

23           SENATOR HAYS: So basically the guideline  
24 is, don't, don't dissect the census block,  
25 leave the census block intact?

1           MR. GUTHRIE: Correct, and the way that we  
2           traditionally, and in fact we are going to look  
3           a little bit later this morning at some Bill  
4           language for the Apportionment Joint Resolution  
5           and for the Congressional Bill and that defines  
6           the hierarchy -- not the hierarchy, but the  
7           units of census geography that will be used for  
8           describing districts.

9           And the language that it says in the Bill  
10          is that a block describes the smallest  
11          geographic unit for which population was  
12          tabulated in the 2010 Decennial Census, so it  
13          is the smallest the unit of geography for which  
14          we have a legal description that we can refer  
15          to in the redistricting legislation.

16          SENATOR GAETZ: Comments?

17          SENATOR HAYS: Mr. Chairman, if I may just  
18          get --

19          SENATOR GAETZ: Of course.

20          SENATOR HAYS: -- one more clarification.  
21          We have got the map drawn, and we have 469,075  
22          people in the district and we need 25 more to  
23          make it a round number, and yet we go into  
24          another census block and it has got 340 people  
25          in it.

1           Must we take all 340 or can we carve out  
2 the 25 more people and leave the rest of them?

3           SENATOR GAETZ: Mr. Guthrie.

4           MR. GUTHRIE: You would either take those  
5 340 people or you would find another block that  
6 had the 25 that you were looking for.

7           SENATOR HAYS: Thank you.

8           MR. GUTHRIE: That is the choice. So when  
9 you are zeroing out a Congressional plan, what  
10 you do is you look for a location where the  
11 blocks that have the exact number that you are  
12 after are available.

13          SENATOR HAYS: Well, is that not also true  
14 for a House District or a Senate District as  
15 well?

16          MR. GUTHRIE: The population requirement  
17 under Federal law is not as stringent for House  
18 and Senate Districts as it is for Congressional  
19 Districts.

20          SENATOR HAYS: Thank you.

21          SENATOR GAETZ: We can vary, Senator Hays,  
22 correct me, Mr. Guthrie, we can vary if we have  
23 a defensible reason. We can vary by two or  
24 three or four and sometimes even five points,  
25 but as you get north of about three points,

1           about a three percent variance, your burden of  
2           proof becomes pretty severe based on the  
3           information that I have seen, case law I have  
4           read.

5                     But with Congressional Districts you have  
6           got to be spot on, and that is why even with  
7           all of the best efforts as articulated by our  
8           members this morning, we may have pimples and  
9           dimples on Congressional Districts, because you  
10          have got to go pick up those six people, those  
11          24 people.

12                    Anything else on this matter of sort of  
13          the building blocks of districts?

14                    Mr. Guthrie, could you please, could you  
15          please summarize?

16                    MR. GUTHRIE: Yes, and maybe this picture  
17          that I put up on the screen will be helpful for  
18          that.

19                    We are in the Clearwater, Largo area of  
20          Pinellas County. The cities are shown in  
21          colors here. The VTD lines are the bold brown  
22          lines, and the block lines are the fine lines.

23                    So what we see is that the Supervisor of  
24          Elections in Pinellas County generally paid  
25          attention to municipal boundaries in drawing

1 the VTDs, but she was not dogmatic about it.

2 I think that the correct way to approach  
3 implementing Amendments 5 and 6 in this area  
4 would be as the committee has heard and has  
5 expressed here today, to look first to keeping  
6 counties whole, and not subdividing county  
7 lines.

8 And next to look at keeping your  
9 municipalities intact, and then beyond that,  
10 if, in order to make it most easy for  
11 Supervisors to implement the new districts and  
12 conduct efficient elections in the years to  
13 come, follow the VTD lines.

14 So that would mean in this case is that if  
15 you put the city of Clearwater in a district,  
16 and then you needed additional population you  
17 might look at this, rounding out this VTD and  
18 this VTD in order to fill out the population  
19 for that district.

20 You see that how that works? And then  
21 only go to the block level where it is  
22 necessary, in the rare cases where it is  
23 necessary to equalize your population.

24 But generally just pay attention to county  
25 lines, to city lines and to VTDs and one more

1 point of background on this.

2 Ten years ago the software we provided  
3 made it very, very easy, as this does, too, to  
4 do all of your redistricting at the block  
5 level. So you could, and what we found is that  
6 the people who were drawing the plans actually  
7 started, not at the county level, not at the  
8 tract or block group level, they started at the  
9 block level and drew everything based on that.

10 So what we ended up with is many, many  
11 cases where the House District was on First  
12 Street, the Senate District was on Second  
13 Street, and the Congressional District was on  
14 Third Street.

15 They all were trying to capture the same  
16 neighborhood, but they did it in three  
17 different ways. If they all three had followed  
18 Second Street which was the VTD line, that  
19 would have made it much, much easier for  
20 Supervisors to implement the new districts.

21 SENATOR GAETZ: Do we have a general  
22 understanding of how we are going to proceed  
23 and is there any objection to the explanation  
24 of how we are going to proceed as articulated  
25 by Mr. Guthrie? Is there any issue?

1           Senator Storms.

2           SENATOR STORMS: There is one issue, but  
3           it is not -- it has to do with the  
4           implementation in the end product that I want  
5           to call to your attention.

6           On My District Builder you have -- you  
7           have got the maps presented and you have the  
8           ability to like it on Facebook, you have the  
9           ability to like it, to tweak it, but there is  
10          no ability for anybody to, you know, give you a  
11          thumbs down or other important finger, and say  
12          that they don't like it.

13          So -- so I think that there needs to be  
14          some option there for somebody. It seems like  
15          you stacked the deck by saying, okay, if you  
16          like this, you forward it, but if you don't,  
17          you know, what do you do?

18          So after we are done with the whole thing  
19          there ought to be some something there for  
20          people to be able to click on it and say, no,  
21          no, I hate this, and then for comments to go  
22          along with it, just kind of FYI. Thank you.

23          SENATOR GAETZ: Thank you for the  
24          suggestion. Members, what we would like to do  
25          now is get into specifically how we will

1 proceed with various regions of the state in  
2 developing maps.

3 For the next few interim meetings we will  
4 be closely examining the maps and district  
5 scenarios related to different regions of  
6 Florida.

7 In other words, our approach will be to go  
8 region by region. Our professional staff will  
9 be showing us various scenarios directly  
10 derived from the maps and the comments that we  
11 have received from the public.

12 For our next meeting on October 5th, and I  
13 would ask you to be cognizant of these dates  
14 and these deadlines that I would like your  
15 support on.

16 For the next meeting on October 5th, we  
17 will be presenting and discussing maps and  
18 scenarios for northwest Florida, including the  
19 Panhandle and the Big Bend.

20 Then the week of October 17th, we will be  
21 discussing maps, reviewing scenarios related to  
22 the northeast part of the state, including the  
23 First Coast to the Space Coast and central  
24 Florida.

25 Then at our two November meetings, we

1 would take up the maps and scenarios for the  
2 southeastern and southwestern portions of the  
3 state.

4 These next four meetings will be the times  
5 for members to discuss the merits associated  
6 with drawing district lines one way or the  
7 other.

8 Subject to requirements of State and  
9 Federal law, professional staff would then use  
10 the direction we would give them as we go  
11 region by region. They will use the direction  
12 we give them in these open public meetings to  
13 produce a statewide Congressional map, a  
14 statewide Senate map and a statewide House map  
15 that would be derived from, first the testimony  
16 and maps we received from the public.

17 Then secondly, the input and direction we  
18 will receive in these open public meetings for  
19 members of this Committee, and then hopefully  
20 we will arrive at a consensus. We can then  
21 vote and then recommend our maps to the Senate  
22 as a whole.

23 Our objective will be to introduce these  
24 plans as proposed Committee Bills at the  
25 meeting the week of December 5th. So

1 December 5th meeting, the week of December 5th,  
2 if we stay on schedule and I hope we can, we  
3 would introduce proposed Committee Bills.

4 Now, what that means is that November 1st,  
5 would be our drop dead date for submission of  
6 plans or proposals from the public, from  
7 interest groups, from members of this  
8 Committee.

9 So if you have a particular proposal you  
10 would like to make for your part of the state,  
11 for my part of the state or for the state as a  
12 whole, or House maps or Senate maps or  
13 Congressional maps, our deadline for receiving  
14 those proposals in this Committee will be  
15 November 1st.

16 This corresponds very closely with what  
17 the House of Representatives is doing. Then we  
18 will follow the procedure that I have laid out  
19 to go region by region. Then during the  
20 meeting the week of December 5th, we would, we  
21 would hopefully having had all of the input  
22 region by region, so we have gone through these  
23 meetings, have a proposed Committee Bill.

24 By contrast, Senators, ten years ago the  
25 first plans for Congressional and Legislative

1           Districts appeared on January 23rd. So we are  
2           talking about, about virtually being two months  
3           ahead, almost two months ahead of where we were  
4           ten years ago.

5                     Our ambitious goal assumes a lot of hard  
6           work on the part of members of this Committee.  
7           It assumes that we will get down to business.  
8           We will not hold cards close to our chests, but  
9           we will rather play those cards as soon as we  
10          possibly can.

11                    And it also assumes, our schedule assumes  
12          continued good input from the public, but we  
13          want that input to come to a head by  
14          November 1st.

15                    Now, if somebody comes in on November 4th,  
16          some member of the public, some interest group  
17          and offers something, we certainly take it into  
18          the record and we certainly consider it, but in  
19          terms of using it as a plan that we would, that  
20          we would take seriously and then try to derive  
21          our Committee Bill from, we have got, we have  
22          got to have an all in date and the all in date  
23          that we would like to suggest is November 1st.

24                    SENATOR LATVALA: Mr. Chairman?

25                    SENATOR GAETZ: Yes, sir, Senator Latvala.

1           SENATOR LATVALA: I commend your, this is  
2 a tremendous step forward to get these plans  
3 out in advance by such a significant time  
4 period over what has been done before, and what  
5 a lot of people accused us of planning to do at  
6 these various hearings.

7           The only question I have is that by having  
8 the deadline of November 1st, on plans  
9 submitted by the public, as well as plans  
10 submitted by Senators the same day, would seem  
11 to not give any time for us to look at the  
12 public submitted plans before we would do a  
13 plan of our own.

14           And I am just wondering if you might  
15 consider, and I hate to follow the House, but I  
16 have been trained all of these years not to do  
17 what the House does, but, you know, the House  
18 has a two tier plan where, where, you know,  
19 November 1st is the public date, and then two  
20 weeks later would be their Members date and I  
21 am wondering if we could give some  
22 consideration so there is some period of time  
23 for Senators to review what has come in from  
24 the public before we have to submit a plan  
25 ourselves.

1           SENATOR GAETZ: Mr. Guthrie, don't wander  
2 away. You heard Senator Latvala's comments,  
3 and Senator Latvala, I met yesterday with  
4 Chairman Weatherford to understand where the  
5 House is coming from, and the House is doing  
6 exactly what you said and for the reasons that  
7 you mentioned.

8           Do you have any comment on if we accepted  
9 Senator Latvala's suggestion, to have a  
10 suspense period between the deadline for  
11 submission by interest groups and members of  
12 the public and submission of maps by Senators,  
13 do you have any comment, Mr. Guthrie, on  
14 whether we could still maintain our aggressive  
15 schedule to be able to move forward with a  
16 proposed Committee Bill the week of  
17 December 5th?

18           MR. GUTHRIE: What I think the November 1  
19 deadline is designed to do, is as Senator Gaetz  
20 said, keep interest groups, public and Senators  
21 from holding their great ideas close to their  
22 chest.

23           That -- so the material that the Committee  
24 staff is going to use for purposes of putting  
25 together a proposed Committee Bill will come,

1 we are hoping by November 1.

2 Now, the Committee -- it is not -- the  
3 proposed Committee Bill is not at the end of  
4 the day a staff product. It is your product,  
5 and so this Committee will have an opportunity  
6 at the meeting in December, and thereafter, to  
7 discuss, debate, amend, and clarify what this  
8 proposed draft that the Committee staff will  
9 put out some time maybe a week in advance of  
10 the Committee meeting.

11 SENATOR GAETZ: But to Senator Latvala's  
12 point, and we discussed this yesterday, and I  
13 was the guy pushing for deadlines of these kind  
14 so we can move the process.

15 What would be the, you know, what would be  
16 the consequences of saying that November 1st,  
17 would be the deadline for all submissions from  
18 the public and from interest groups, let's pick  
19 a date, November 10th, would be the deadline  
20 for submission by all members of the Senate?

21 What would be the consequences of that and  
22 would we be able to still introduce a proposed  
23 Committee Bill on --

24 MR. GUTHRIE: I am sure that working over  
25 Thanksgiving staff could, could get a proposed

1 Committee Bill done in time.

2 SENATOR GAETZ: Senator Latvala and I will  
3 bring the turkey and the dressing. Senator  
4 Latvala, I think you --

5 SENATOR LATVALA: I mean, even --

6 SENATOR GAETZ: I think you make a good  
7 point, sir.

8 SENATOR LATVALA: Even if we had to move  
9 the public date up a couple of days or  
10 something, I mean, I don't want to be put in a  
11 position of feeling guilty that we are making  
12 the staff work over Thanksgiving.

13 I am not entirely sure that is necessary,  
14 but I just think there ought to be a period of  
15 time between when the public cutoff is and when  
16 our cutoff is. I mean, we are elected to  
17 represent the public in our districts.

18 SENATOR GAETZ: Senator Sachs.

19 SENATOR SACHS: Thank you very much,  
20 Mr. Chairman. I agree with Senator Latvala's  
21 analysis. I do think, sir, that we need to  
22 have, and, you know, let me say this.

23 I do think we need to have some time in  
24 order to digest and review and possibly revise  
25 or agree with those maps that are submitted by

1 the public.

2 It doesn't mean that we need a  
3 November 1st deadline. Let's -- let's take a  
4 step back.

5 The public, as well as, as well as  
6 Legislators, have had ample time to submit  
7 maps. So we can possibly move up the  
8 November 1st date, to an earlier time in  
9 October possibly, so that we would have time by  
10 November 1st, drop dead date to have all of the  
11 submissions in, but I do think you need a time  
12 space between the public submissions of maps,  
13 our review of them, and then our deadline for  
14 commenting, revising, agreeing with those maps  
15 that have already been submitted.

16 And I don't think we need to impinge upon  
17 Thanksgiving holidays, but I do think that we  
18 can, you know, we can bring that November 1st  
19 date up a little bit and I agree with that  
20 suggestion.

21 SENATOR GAETZ: Why don't we do this,  
22 unless there is objection. I apologize,  
23 Senator Lynn.

24 SENATOR LYNN: Mr. Chairman, I understand  
25 where Senator Latvala is coming from, but I do

1 have some discomfort.

2 The public has great fear that we are  
3 going to be doing something behind the scenes,  
4 and by setting the November 1 deadline for  
5 everybody, you are saying, hey, work on this,  
6 ultimately this comes to the Committee, and  
7 anybody on the Committee can talk to anybody  
8 outside the Committee in the Legislature, get  
9 input from them.

10 And if we need to do what Senator Latvala  
11 is thinking, and I am speaking on behalf of the  
12 citizens out there that are saying, okay, so we  
13 got our stuff down, and now November 5th, you  
14 are going to be able to change it according go  
15 to the way you want your district done or  
16 whatever.

17 And so it gives us or the Legislators that  
18 last input, and I think it is only fair the  
19 public and Legislators have the input together.  
20 We can fix whatever we need to do here to make  
21 things work according to where we need to be  
22 requirement-wise.

23 But I don't want to put us in a position  
24 where, once again, the public can say, you are  
25 doing something behind the scenes, after we do

1           it you are just going to fix it your own way,  
2           anyway.

3           We have that ultimate requirement that we  
4           have got to come up with something, but I would  
5           like to see it appear, at least, that it is  
6           going to be in the fairest way possible and you  
7           have worked so hard at that, I would not want  
8           to change it.

9           SENATOR GAETZ: Thank you, Senator Lynn.  
10          Leader Rich.

11          SENATOR RICH: Thank you, Mr. Chair. I  
12          would like to echo Senator Lynn's point of view  
13          here. I think what we heard, a lot of what we  
14          heard was that people wanted to see our maps,  
15          and this exactly flips it, and I think we  
16          should all have the same deadline, and I think  
17          your timeline is excellent.

18          I mean, it gives us an opportunity,  
19          although I would have liked to have seen a  
20          Congressional even earlier, but I think, you  
21          know, it gives a parity between the people and  
22          the Legislators, and I think that that is  
23          really very important after what we heard at  
24          all of the Committee hearings.

25          SENATOR GAETZ: Thank you, Leader.

1 Senator Bullard.

2 SENATOR BULLARD: Thank you, Mr. Chairman,  
3 and I appreciate your recognition. I agree  
4 with my Leader as well, what has been said by  
5 Senator Lynn, but I also want to ask, in view  
6 of the fact that I have had experience in the  
7 reapportionment, because I was here in 2002,  
8 when the lines were being drawn.

9 So with that experience I know that some  
10 of the techniques have changed since that time,  
11 but I have heard different definitions  
12 pertaining to a contiguous district.

13 I am changing my question a little bit,  
14 Mr. Chairman. The contiguous districts, based  
15 on some of the districts that I have seen and  
16 one that, 39, District 39, I am told that the  
17 contiguous district is one that it is either  
18 compact in a circle or straight line as long as  
19 it is a straight line.

20 Now, what I do not understand is if a  
21 district is drawn in a straight line and that  
22 straight line then moves over to another  
23 straight line, is that contiguous?

24 SENATOR GAETZ: Mr. Guthrie, can you  
25 define contiguity for us, please?

1           MR. GUTHRIE: Yes. The Florida Supreme  
2 Court has taken the position that the  
3 contiguity means that the district is a single  
4 polygon or a single shape so you can get from  
5 one part of the district to another without  
6 stepping outside of the district, by boat or  
7 car or walking or whatever.

8           SENATOR BULLARD: Well. Mr. Chairman.

9           SENATOR GAETZ: Of course, Senator  
10 Bullard.

11          SENATOR BULLARD: So therefore, if the  
12 district is drawn in the shape of an octagon,  
13 that would be considered contiguous?

14          MR. GUTHRIE: An octagon is contiguous.

15          SENATOR BULLARD: Okay, so that -- that  
16 clarifies some of the questions I have been  
17 approached by some of the constituents who are  
18 saying, well, you know, what -- how are you  
19 drawing these lines and where are they  
20 reaching? Are they too far reaching?

21                 And as you well know, our District 39 is  
22 very far reaching, and I am certain some of the  
23 other districts are as well.

24                 And if those lines are drawn in such a way  
25 that it is not really meeting the needs of the

1 constituents, as well as taking a real toll on  
2 the elected official, is it in the best  
3 interest of the constituent and the elected  
4 official when lines are drawn in such a way?

5 SENATOR GAETZ: Mr. Guthrie, any comment?

6 MR. GUTHRIE: So District 39 was  
7 determined by the Florida Supreme Court to be  
8 contiguous. So that we know, District 39 is  
9 contiguous.

10 What this Committee will be considering in  
11 the weeks and months ahead is how do we balance  
12 all of the values that you believe makes sense  
13 for providing the best possible representation  
14 for voters and constituents in this state.

15 And there will be varying opinions on  
16 that. As Senator Gaetz said, this Committee  
17 process is a great way to determine how you,  
18 the people's elected representatives, want to  
19 make that choice.

20 SENATOR BULLARD: Mr. Chairman, follow up?

21 SENATOR GAETZ: Sure.

22 SENATOR BULLARD: Okay, now, are we  
23 looking at the quota as well? Is that  
24 considered in determining the districts?

25 SENATOR GAETZ: Mr. Guthrie.

1           MR. GUTHRIE: I am not sure exactly what  
2 we mean by quota.

3           SENATOR BULLARD: The ethnic break down.

4           MR. GUTHRIE: Mr. Chairman.

5           SENATOR GAETZ: Of course.

6           MR. GUTHRIE: The -- as we said earlier,  
7 the Section 5 and Section 2 of the U. S. Voting  
8 Rights Act of 1965 as amended, and new Sections  
9 20 and 21 of the Florida Constitution say that  
10 providing voting rights for minorities is the  
11 priority consideration in this state.

12           And there are numerous court cases that  
13 get into determining how that will be best be  
14 accomplished, that will take us way far afield  
15 to get into this morning.

16           SENATOR BULLARD: Okay, Mr. Chairman, back  
17 to the question I really need an answer for,  
18 and because it is -- there is a misconception  
19 or a perception by the people that they are  
20 going in, we are going in, not they, we are  
21 going in and taking certain pockets of people  
22 and placing them in certain districts, whether  
23 they are contiguous or not, and to develop a  
24 district for a particular group.

25           So that I am concerned about, and I -- I

1           have no problem talking with you, and I have  
2           had, you know, so at some point if you could  
3           help me understand what is happening with that  
4           so that I can clearly have an explanation for  
5           my constituents and others who are discussing  
6           this.

7                   I have never seen before an issue  
8           discussed as much as this reapportionment. In  
9           2002, for those of you who were here, Senator  
10          Latvala, and who else was here? Whoever was  
11          here at that time, I know that it was not  
12          discussed to the extent that it is today.

13                   But I am very appreciative of the  
14          hearings, because that is allowing people to at  
15          least participate, and I really need to  
16          understand clearly that when I go out to speak  
17          before the constituents or they call my office,  
18          well, what are you all doing up here? This is  
19          so confusing for us.

20                   I need to be able to say to them, no, they  
21          are not going in and dipping, they are not  
22          taking truck loads of people at night and  
23          moving them into other areas so that we could  
24          have a district that is -- what is considered  
25          contiguous.

1           SENATOR GAETZ: Well, yes, ma'am, and we  
2           owe you that, and professional staff, would you  
3           please get with Senator Bullard and make sure  
4           that she fully understands that issue and take  
5           her input so that she has a clear message and  
6           an accurate message she can provide to her  
7           constituents.

8           Let's get back on topic here having to do  
9           with our schedule. We have had a number of  
10          people express their views. I think Senator  
11          Storms was next, and then we will try to bring  
12          it to a head.

13          Senator Storms.

14          SENATOR STORMS: Thank you, Mr. Chair.  
15          Well, you know, I appreciate both sides of the  
16          discussion, but maybe this is a different  
17          perspective on getting the public's maps here  
18          first.

19          If there was a way for us to bring that,  
20          bring all of that in so whether, not to mess up  
21          anybody's Thanksgiving holiday, because I  
22          happen to love Thanksgiving, I think it is one  
23          of the best family holidays that you can have.  
24          It is not as much stress unless you happen to  
25          be the one cooking, and in which case there is

1 a lot of stress.

2 But anyway, I don't think that is going to  
3 be you all up there doing the cooking. I want  
4 you all to be able to relax in your recliner,  
5 so I am not trying to get you to work on  
6 Thanksgiving, but I do think that there is a  
7 benefit to having the maps here early for the  
8 members to be able to know, you know, to be  
9 able to take stuff into consideration.

10 I don't know really how we take stuff into  
11 consideration without having all of the public  
12 maps here. And I am not -- I certainly am not  
13 trying to roll the public and trick them into  
14 doing something, but I think that I benefit at  
15 least from hearing the fellow members look at  
16 the maps and have the conversation and say,  
17 like this, not that, and here is why this  
18 wouldn't work because of that.

19 And so, so I like the idea of doing  
20 something like getting the public's maps in  
21 first so then we can consider that and produce  
22 something and put it on the table.

23 So that is just kind of where this member  
24 stands, and I think we all might benefit from  
25 having access to that information and gathering

1 everything together before we start sorting and  
2 coming up with a final product. So that is my  
3 two cents worth, Mr. Chair.

4 SENATOR GAETZ: Thank you, Senator Storms.  
5 I think that if I do a better job of explaining  
6 the proposed schedule it may reassure some  
7 members.

8 That is that if we stick with a  
9 November 1st deadline for submission of maps by  
10 whomever, that it is the week of December 5th,  
11 that we would prepare and propose a Committee  
12 Bill.

13 So there will be, at least a month after  
14 the public and members would submit their maps  
15 for us to then consider those submissions, as  
16 well as the 64 submissions we have already  
17 received, to use those submissions as the basis  
18 for a Committee Bill to deburr, to criticize,  
19 to analyze, to evaluate, I think we will have  
20 sufficient time.

21 We are going to have -- we are going to  
22 have more than a month after the November 1st  
23 deadline.

24 The November 1st deadline, as far as the  
25 public is concerned is something that we did

1           agree with Chairman Weatherford on yesterday,  
2           and in order to provide a last call for those  
3           organizations that have not yet participated,  
4           those organizations that have kind of sat in  
5           the corner and maybe waited until a propitious  
6           moment to articulate their views, Chairman  
7           Weatherford and I have agreed upon a letter  
8           that we are sending today to some 50  
9           organizations, primarily civil rights and  
10          minority advocacy organizations to say if  
11          someone has told you to hold your cards, this  
12          is last call.

13                 And you have got until November 1st, and  
14          we really, really need your ideas and your  
15          interpretations of what you believe is  
16          essential to protect minority voting rights.

17                 So that is kind of the reason why we are,  
18          why we are trying to stick with a November 1st  
19          time frame, to give those organizations. We  
20          have had an open door to them all of the way  
21          along.

22                 A few, particularly those representing  
23          Latinos in central Florida, have been very  
24          forthcoming. Others have been part of a  
25          coalition that has said we really don't want to

1 tell you now what we think.

2 We want to give them a last call because  
3 we really do want to know what they think so  
4 that we can include their views and their  
5 perspectives.

6 So what I would like to ask the  
7 Committee's support on, and I, Senator Latvala  
8 makes an excellent point, but I think we will  
9 have better than a month before we have to act  
10 in any way on a proposed Committee Bill.

11 We will have more than a month to deburr,  
12 refine, mature, I would like to ask the  
13 Committee's support, please, for a deadline  
14 that says --

15 SENATOR DE LA PORTILLA: Mr. Chairman.

16 SENATOR GAETZ: Senator Diaz de la  
17 Portilla, you are recognized.

18 SENATOR DE LA PORTILLA: I agree -- I  
19 agree with the November 1st deadline for  
20 everyone. I think we as Committee members will  
21 have ample opportunity to modify the maps that  
22 are submitted on November 1st.

23 And so my, I would move, Mr. Chairman, if  
24 it is appropriate, that we adopt the  
25 November 1st deadline for all parties, both the

1 public and members to submit those maps and  
2 then we can discuss them and change them and  
3 modify them at the three or four Committee  
4 meetings that we are going to have, you know,  
5 after that.

6 SENATOR GAETZ: I appreciate that, Senator  
7 Diaz de la Portilla. As opposed to taking a  
8 vote, because we didn't advertise we would be  
9 taking any votes today, what I would like to do  
10 is get a Committee consensus or get the  
11 Committee's support for the proposal that the  
12 Senator just made, and if that would be  
13 agreeable.

14 SENATOR LATVALA: Mr. Chairman?

15 SENATOR GAETZ: Yes, sir, Senator Latvala.

16 SENATOR LATVALA: I mean, I am good with  
17 the consensus.

18 SENATOR GAETZ: Okay.

19 SENATOR LATVALA: Just a thought I was  
20 just raising a point of trying to get a, you  
21 know, a good reason why we should be different  
22 from the House on that, and I am not sure I  
23 ever did, but, you know, I am okay with it.

24 SENATOR GAETZ: Okay, Senator Latvala.

25 Senator Sachs, you are recognized.

1           SENATOR SACHS: Thank you, Mr. Chair. I  
2           have one question. It appears, and I think we  
3           are all on the same page on this. It appears  
4           that November 1st, is the cutoff deadline, but  
5           we will have until December, basically, to take  
6           care of it in Committee meeting.

7           And I think it is fine with me, I think we  
8           are all on the same page. Excellent  
9           suggestion, and I am with you.

10          SENATOR GAETZ: And to Senator Lynn's  
11          point which I think was well made. Senator  
12          Lynn was with us as all Committee members were  
13          at various hearings. I, you know, yes, it is  
14          true that we have a constitutional obligation  
15          as the Legislature to propose maps and propose  
16          a redistricting plan to the courts, and we have  
17          to fulfill that obligation, and that obligation  
18          comes after we have received public input.

19          But I think, I think if we can hold it to  
20          a November 1st deadline for everybody, this  
21          Committee will have plenty of opportunity to  
22          deburr after that deadline is met.

23          Is there any objection to our sticking  
24          with a November 1st deadline, for submission of  
25          all proposals? Is there objection?

1           If not, then Committee staff, you have  
2           seen the consensus of the Committee, and then  
3           again, to make sure that we have our timeline  
4           before us, then the week of December 5th, we  
5           will discuss a proposed Committee Bill.

6           That Committee Bill will be derived from  
7           the meetings that we will have between now and  
8           December 5th. That is the week of  
9           December 5th, with our next meeting on  
10          October 5th, discussing plans and scenarios for  
11          northwest Florida, including the panhandle and  
12          the Big Bend.

13          So what you will see at the next meeting,  
14          and then at the other meetings that where we  
15          will be looking at the state region by region,  
16          what you will see is that the professional  
17          staff will present to us, here are maps that  
18          have been drawn by citizens, by interest  
19          groups, by Senators, by whomever, for northwest  
20          Florida, the Big Bend and the panhandle. Here  
21          are one or two or three maps, hopefully more  
22          than one.

23          I would say at least two or three maps  
24          that seem to represent the testimony that we  
25          are receiving, and then we will have a chance

1 to discuss those maps in detail.

2 So that as we look at where lines ought to  
3 be changed, if at all, for maps that were  
4 submitted, we will have the opportunity to look  
5 at issues of retrogression, issues of  
6 compactness. Senator Bullard indicated issues  
7 of contiguity, first tier, second tier,  
8 constitutional matters.

9 We will be looking at those maps in the  
10 context of those legal requirements, region by  
11 region, to bring us to a point where we have  
12 given guidance region by region to our  
13 professional staff so that they can prepare a  
14 Bill that is not my Bill. It will be the  
15 Committee's Bill based on that discussion.

16 Senator Detert.

17 SENATOR DETERT: Thank you, just for a  
18 simplification and clarification. So we will  
19 start with the panhandle. We will review maps  
20 that were submitted by the public and others  
21 as of November 1st.

22 We will have that discussion, and then as  
23 part of that meeting, will this Committee then  
24 go over it and sort of kind of hammer out how  
25 we expect that portion to look barring any

1 future domino affects, and then we will move on  
2 to the next piece and we are going to take this  
3 map, I mean, the state section by section?

4 SENATOR GAETZ: Yes, ma'am.

5 SENATOR DETERT: As we go along?

6 SENATOR GAETZ: You have articulated it  
7 very, very well, recognizing that when you,  
8 when you build a jigsaw puzzle and you have got  
9 four different pieces that you are building  
10 from, that at some point when you try to put  
11 them altogether you may have to go back and  
12 say, well, did I have the right piece in the  
13 right place in the northwest section of the  
14 jigsaw puzzle.

15 But your recitation of how we would go  
16 forward is exactly what I have in mind.

17 SENATOR ALTMAN: Mr. Chairman?

18 SENATOR GAETZ: Judge, Senator Altman.

19 SENATOR ALTMAN: Thank you, Mr. Chairman.

20 A question of procedure. Let's say we draw  
21 maps and we come up with a consensus. Members  
22 of the public though may see some adjustments  
23 or changes or might want to present in response  
24 to what we have drawn. Is there a procedure  
25 for that?

1           SENATOR GAETZ: Thank you, Senator Altman.  
2           You make an excellent point. One of the things  
3           -- one of the requests that we heard at a  
4           number of the public hearings was, will the  
5           public have an opportunity to have a second  
6           bite at the apple.

7           Once the public input has been taken into  
8           account, we have looked at the regions of the  
9           state and given direction to professional staff  
10          and we have a proposed Committee Bill, then  
11          what. Will the public be able to look at it  
12          again?

13          The answer to that question has to be yes.  
14          Now, there are those who would probably say,  
15          well, let's go have 26 more hearings then.  
16          Well, the problem is, we have got to have  
17          elections in 2012, and I think we would be  
18          jammed up between those who say we want, we  
19          want comprehensive hearings across the state,  
20          and those who say, but wait a minute, we have  
21          been trying to tell you all along that you need  
22          to move this process deliberately, not  
23          unthoughtfully, but deliberately.

24          So here is what we are considering, and I  
25          would just emphasize the word considering for

1 your, and please give it some thought. We  
2 don't have to decide today, but just a moment,  
3 please, and we will get back to you in a  
4 second.

5 Here is what we are considering. We are  
6 considering teleconferencing whereby this  
7 Committee would go out to FSU, it is called  
8 Studio A or something, Studio A and we would  
9 start in the morning and we would probably have  
10 to bring our lunch.

11 And this would be a long day maybe, but we  
12 would ask the President's permission to take a  
13 day and we would advertise develop in advance.  
14 We would publish a proposed Committee Bill so  
15 that everybody could see it, everybody would  
16 know what it was, at least a week in advance,  
17 and then we would say, all right, we are going  
18 to look at three locations in northwest Florida  
19 where individuals could come to say a Community  
20 College that has teleconferencing capabilities,  
21 and we would start at, you know, maybe 8:00 in  
22 the morning in, you know, at Pensacola State  
23 College, for example.

24 We would say, folks are gathered at  
25 Pensacola State College. We have advertised it

1 publicly. They have had the opportunity to  
2 review the proposed Committee Bill, and we are  
3 going to take, take a second bite at the apple  
4 testimony from people who will then come  
5 forward and say, well, you listened to us, or  
6 no, by golly, you didn't, or, you know, it  
7 looks good but you need to really make this one  
8 change that conforms to our needs in northwest  
9 Florida.

10 And then maybe at 10:00 we would move to  
11 another part of the state for a  
12 videoconferencing and we would run, we would  
13 run all day long so that we would give people  
14 an opportunity to comment on a proposed  
15 Committee Bill before the first vote was taken  
16 on that Bill.

17 That would be, that is something we are  
18 considering and we haven't worked out all of  
19 the technical issues, but I would like to ask  
20 your consideration of this idea. Maybe you  
21 have a better idea.

22 Senator Bullard. Yes, ma'am.

23 SENATOR BULLARD: Thank you. I believe  
24 that you answered part of my question.

25 SENATOR GAETZ: Yes, ma'am.

1           SENATOR BULLARD:  And that would be I  
2           think it is a very good idea to have that  
3           televised.

4           However, I would like to just move a step  
5           further and ask you, when we televise that,  
6           that we ensure that other media sources have  
7           publicly advertised it so that the public will  
8           know that we are, that you are doing this, you  
9           know, because many people just don't know when  
10          it is happening.

11          A lot of people may be at work.  We need  
12          to know whether it is timely, so that they are  
13          at home and something that will be repeated  
14          after this tape so they will know about this  
15          prior to this.

16          We, I think we all believe that everyone  
17          has access to a computer, that everyone reads  
18          the newspaper.  Some people can't even afford  
19          to buy a newspaper.

20          So when is it going to be advertised?  
21          When is it going to be placed in the news, in  
22          the media's sight so they can have them know  
23          that on this date at this time we are going to  
24          show you exactly what or talk about the lines  
25          and how they will be drawn.  I would appreciate

1           you considering that.

2           SENATOR GAETZ: Yes, excellent point and  
3           our professional staff I think did a very good  
4           job of making sure that we had public notices  
5           posted in newspapers across Florida for our  
6           public hearings.

7           The media was very cooperative in doing,  
8           earned media stories ahead of the hearings.  
9           More than 5,000 people showed up. Somehow they  
10          figured out that we were there and they got  
11          there, but I would give you my word that if we  
12          do go to a teleconferencing option, that we  
13          would provide to the media well in advance  
14          information about that teleconference.

15          Not only the Capitol press, but the  
16          regional media as well.

17          Senator Sobel.

18          SENATOR SOBEL: Thank you, Mr. Chair. I  
19          believe the teleconferencing idea is a good  
20          one. We did hear from constituents who wanted  
21          that. So we will need the support of local  
22          areas to provide us with this kind of set up,  
23          maybe the people who were involved with the  
24          redistricting throughout when we went around  
25          would help us with that.

1           I think it is really good to get and those  
2 people who are interested will find out and  
3 attend. I know it is very hard to reach  
4 everybody, but the option is not doing anything  
5 and I think it is a real good choice.

6           I wrote down -- I wrote down these dates  
7 of October 5th, October 17th, November 1st,  
8 November 14th and December 5th. Those are the  
9 dates that we will be meeting?

10           SENATOR GAETZ: Those are the weeks that  
11 we will be meeting. The President's office  
12 has not published a meeting schedule for those  
13 weeks yet, but we will be meeting on those  
14 weeks.

15           I have asked for Wednesdays in those weeks  
16 so that we are not either at the beginning or  
17 the end of the week, but, you know, this is an  
18 important Committee.

19           All committees are important, but I have  
20 asked for a Wednesday. The President's office  
21 is taking that into account.

22           SENATOR SOBEL: Thank you.

23           SENATOR GAETZ: President Margolis, and  
24 then Senator Lynn, did you request -- okay.  
25 President Margolis.

1           SENATOR MARGOLIS: The people who have  
2 filled out cards at all of the public hearings,  
3 those that testified, I think deserve an e-mail  
4 or a direct communication to tell them that  
5 this is, this is where we are going to present  
6 the maps and we would like to hear their  
7 response, if they had a response.

8           SENATOR GAETZ: Excellent point, Senator  
9 Margolis. We will -- we did ask for everyone  
10 who came, not just those who testified, but  
11 those who came to observe, if they would give  
12 us their contact information, and if we are  
13 able it put together, if this Committee  
14 supports the notion of teleconferencing and if  
15 we are able to put it together technically and  
16 get the President's permission, I am sure the  
17 President has been nothing but full speed ahead  
18 on public involvement and interaction, we would  
19 definitely do that.

20           We would get back to all of those people  
21 and say, hear is the second bite at the apple.

22           Now, you know, obviously there will be  
23 criticism. There will be people in my  
24 community who will say, if we start at 8:00 in  
25 the morning in the panhandle, there will be

1 people that say, well, gosh, I am a teacher.  
2 That is when I am teaching, I am in the  
3 classroom, I can't participate.

4 And if we start in the panhandle at 6:00  
5 at night there will be people who say I can't  
6 come at 6:00, that is when I have my Bridge  
7 Club, why didn't you check with me to make sure  
8 that you didn't conflict with my Bridge Club.

9 So we know that every schedule is  
10 inconvenient for some people, but we think this  
11 would be a good faith effort.

12 Senator Storms.

13 SENATOR STORMS: Thank you, Mr. Chair. I  
14 just want to reiterate again what, well, first  
15 of all, that digital Town Hall meeting is a  
16 fabulous idea.

17 I think that is wonderful and will give  
18 people an opportunity to be heard, so long as  
19 at the location there will be something for  
20 them to see and they won't be trying to see it  
21 on, you know, where we are.

22 So we just want, they will be able to have  
23 like at whatever location they are. So imagine  
24 you will divide up staff and go to those  
25 locations and staff will be assigned to those

1           locations if we are going to have a Town Hall  
2           meeting.

3           I don't want people to be trying to  
4           comment on something that will be where we are,  
5           because it will be very difficult to see,  
6           unless I am missing, misunderstanding what the  
7           concept is.

8           SENATOR GAETZ: Well, again, Senator  
9           Storms, I am not a technical expert on these  
10          things. I think we will want to probably work  
11          with people who have done this kind of a series  
12          of teleconferences in one day, see if they can  
13          help us, but I certainly would agree.

14          I don't know that we will send staff out  
15          all over the state for these, but I think what  
16          we would do is make sure that there was, that  
17          people are looking at, visually exactly what we  
18          are talking about.

19          First, that they have it visually well in  
20          advance, and secondly, that at the  
21          teleconference, that they are looking at it  
22          visually while they are commenting.

23          We would definitely make sure of that, but  
24          again, I wish I were technically competent  
25          enough to say that we just do that by twisting

1 the conifer belt to the left and it would all  
2 be good, but we would work with our technical  
3 experts if the Committee feels that something  
4 like this is an appropriate approach.

5 I am committed to a second bite at the  
6 apple. Chairman Weatherford is very supportive  
7 of making sure that, you know, the public has  
8 another look, but if you have better ideas,  
9 please contact me, contact our professional  
10 staff and we will, we don't have to decide this  
11 right now, but I wanted to give you some idea  
12 of what our thinking is.

13 SENATOR STORMS: Comment, Mr. Chair.

14 SENATOR GAETZ: Senator Storms.

15 SENATOR STORMS: Okay, so in the past, in  
16 my years of local experience of doing public  
17 hearings, et cetera, on, like road widening  
18 projects and producing PD&Es, which would be  
19 very similar to what this would happen.

20 You have got the plan now. Now you are  
21 going to present it to the public, and  
22 typically it is set up like a charette, where  
23 you have that you have got the white boards  
24 propped around where people can walk around at  
25 the beginning before the public comment.

1           They can walk around and they can look and  
2 they will be able to make their notes. And so  
3 if we are going to do a videoconferencing, and,  
4 you know, I mean, I am for that. I think that  
5 is a great idea, then people need to have the  
6 hard copy at their location.

7           Now, if that means staff is not there, it  
8 doesn't matter to me, but the things have to  
9 get there, the white boards have to get there.  
10 So maybe we have it at county centers or City  
11 Councils or something and we ship them down to  
12 county center and they are in a library or  
13 something like that.

14           I don't know how that is going to work,  
15 but just to kind of give you some things to be  
16 thinking of, because it will not work and it  
17 will only frustrate the public and expose us to  
18 really harsh criticism if our maps here behind  
19 us somewhere and it is hard for them to see  
20 that.

21           So then the other thing that I wanted to  
22 say is back towards what Senator Bullard said,  
23 some people, we do want to give people who  
24 don't have access to the latest and greatest  
25 technology an opportunity to be heard and to

1 express their views.

2 So for instance, they may not have and I,  
3 my several, do not Tweet. I, myself, do not  
4 have a Facebook page. So I, myself, cannot  
5 like things or put out information on Facebook,  
6 and I know there are a whole host of other  
7 people that do not do that also.

8 They may go to the public library and use  
9 the Internet and that is fine, and, you know, I  
10 would encourage that, but I just want -- I  
11 guess what I am saying is I don't want staff to  
12 think and I don't want this Committee to think,  
13 to fall into the trap of thinking because we  
14 have all of the benefits of the financial  
15 resources to make it as technologically  
16 effective as possible, that that is true for  
17 everybody in the state.

18 So again, on My District Builder, if  
19 somebody goes to the public library and goes to  
20 and looks at the maps in preparation, but they  
21 don't have Twitter and they don't have  
22 Facebook, there needs to be a place for them to  
23 click on to say they like it or they don't like  
24 it so that we are giving everybody a voice,  
25 even people who don't have access to the

1 resources to have Twitter and Facebook. Thank  
2 you.

3 SENATOR GAETZ: Thank you, and  
4 professional staff may want to talk with  
5 Senator Storms about, given her experience as a  
6 County Commissioner, doing a lot of these kinds  
7 of hearings, get her advice.

8 It has also been suggested that we might  
9 want to consider a tele Town Hall that would  
10 give some of the same features Senator Storms  
11 has just discussed, where people really can,  
12 can express their views through punching a  
13 number into a phone, but we don't have to  
14 decide all of the technical stuff now.

15 I just wanted to share with you our  
16 commitment to try to do a second bite at the  
17 apple, and Senator Storms would be a good  
18 resource for us on what to do and what not to  
19 do.

20 All right, now we have got a schedule. We  
21 know that we are going to move region by  
22 region.

23 Now I would like to offer a procedural  
24 suggestion, please, as we go through the  
25 amendatory process.

1           One of the fears that I believe is out  
2           there is that somebody is going to come in at  
3           the last minute with no notice, walk in the  
4           door and say, here is the map.

5           And so what I would like to suggest is  
6           that we view this process much the way we do  
7           the appropriations process.

8           In other words, that there is no, no  
9           surprises, no gotcha, no sudden amendments that  
10          are material that change everything.

11          The procedure that I would like to suggest  
12          and ask your support on is that in this  
13          Committee, and then I will ask the Rules Chair  
14          for his support on the floor if this Committee  
15          agrees, that in this Committee we have no late  
16          filed amendments.

17          And instead, that there be at least two  
18          days notice to the public and to other members  
19          of any amendment.

20          Now, obviously we will follow all of the  
21          other rules regarding the amendatory process,  
22          but typically in Committee you can come in with  
23          a late filed amendment and if you can get  
24          two-thirds, then your late filed amendment is  
25          considered.

1           I would like to just ask you to agree or  
2           to consider at least a process where we do not  
3           have any surprise amendments, where there be no  
4           late filed amendments.

5           If there are late filed amendments, if  
6           someone comes in and insist on late filed, then  
7           I will vote against all late filed amendments  
8           whether introduced by Republicans or Democrats,  
9           and I will ask Committee members to support me.

10          But if we could start with a consensus  
11          that there won't be late files, that there  
12          won't be surprise amendments, then we are not  
13          going to embarrass any members of the Committee  
14          who come in with a late filed and say, well,  
15          gee, I just didn't know that you wouldn't  
16          consider it.

17          So I don't mean to be overbearing about  
18          this, but I would like to ask for just a moment  
19          of discussion about this.   Senator Latvala.

20          SENATOR LATVALA:   Mr. Chairman, I couldn't  
21          agree with you more on late filed amendments.  
22          I support that 100 percent.

23          The question that I have is, when -- what  
24          is the time frame going to be for things that  
25          come from the Committee?

1           In other words, when the proposed  
2           Committee Bill comes out, how many days before  
3           the meeting will that come out so that we would  
4           know what the time frame is going to be between  
5           then and when the Committee deadline is?

6           SENATOR GAETZ: I defer to Mr. Guthrie and  
7           to counsel, but I believe that five days, five  
8           days.

9           SENATOR LATVALA: And not to knit-pick.

10          SENATOR GAETZ: No, sir, go ahead.

11          SENATOR LATVALA: Is that five calendar  
12          day or five business days?

13          SENATOR GAETZ: Mr. Guthrie, counsel?

14          MR. GUTHRIE: Depending on how -- once we  
15          get into session we are on a two-day notice --

16          SENATOR GAETZ: Let's take it in bites.  
17          We are talking about this Committee and its  
18          work prior to the December 5th week Committee  
19          meeting when we would have a proposed Committee  
20          Bill discussed.

21                 I think Senator Latvala's question, if I  
22                 understand him correctly is, okay, we are going  
23                 to have, if we agree to no late files, when  
24                 will Senator Latvala and the other members of  
25                 the Senate and the public see the proposed

1 Committee Bill so that they will know whether  
2 or not they need to come in with a properly  
3 filed amendment to make sure that some public  
4 consideration is met? Five days ahead?

5 MR. GUTHRIE: Well, a full week, so five  
6 business days.

7 SENATOR GAETZ: A full calendar week?

8 MR. GUTHRIE: Yes.

9 SENATOR GAETZ: Seven calendar days?

10 MR. GUTHRIE: Yes.

11 SENATOR GAETZ: Seven calendar days.

12 SENATOR LATVALA: Okay, so we are on seven  
13 calendar days for what comes from the Committee  
14 and two calendar days on amendments from the  
15 members? Is that what -- is that what the  
16 proposal is?

17 SENATOR GAETZ: Yes, sir.

18 SENATOR LATVALA: Great idea.

19 SENATOR GAETZ: Senator Dean, did you wish  
20 recognition, sir?

21 SENATOR DEAN: That will be fine. I am  
22 just wondering -- I just want to make sure.

23 SENATOR GAETZ: I don't think your mike is  
24 on, sir. Use Senator Latvala's mike if you  
25 wouldn't mind.

1           SENATOR HAYS: The bottom line, the bottom  
2 line, what I was trying, the difference between  
3 the seven calendar days and the two days and  
4 the amendments, that is what I was trying to  
5 make sure that we had.

6           That we know the rules to live by before  
7 we get here and expressly in what he was saying  
8 about seven calendar days and then the  
9 amendment days. That is what I want to know.

10          SENATOR GAETZ: Yes, President Margolis.

11          SENATOR MARGOLIS: I think it is important  
12 that everybody understand that when they submit  
13 amendments, that they have to have, if not  
14 identical, the identical -- the identical  
15 population somewhat between one or two percent  
16 and this is on the legislative side of it,  
17 congressional side, you don't have that  
18 possibility at all.

19                I mean, you have to be accurately there,  
20 but the big issue is, oh, I would rather have  
21 this district than this district, but the  
22 numbers might not be the same and the numbers  
23 might not come out right.

24                So I think staff has to have enough time  
25 to evaluate each one and as to the numbers. I

1 mean, I think each amendment is going to have  
2 to be looked at very carefully before we --

3 SENATOR GAETZ: You are right, Madam  
4 President, and one of the rules that we use in  
5 the appropriations process, of course, is you  
6 can't come in with a spending amendment unless  
7 you can show where you are going to get the  
8 money.

9 So what I would hope we would do is abide  
10 by the same rule, and that is that if I come in  
11 and say, you know, gosh, I want Rocky Bayou in  
12 the Fourth Senate District, and then I have got  
13 to show you where I comply with the laws and if  
14 by adding Rocky Bayou to the Fourth Senate  
15 District I have got too many voters, then I  
16 have got to show you who I am going to propose  
17 in that same amendment would not be in District  
18 4 and how the exactly as the President says,  
19 how then the result complies with the law.  
20 That would be the burden of proof, absolutely.  
21 Leader.

22 SENATOR GARDINER: That brings up a very  
23 good point because I want to make sure that I  
24 understand how the amendment would be drafted  
25 and submitted, and maybe John can give me some

1 guidance here.

2 Are we going to allow for amendments that  
3 are specific to a region, or if an amendment is  
4 filed, do you need to submit an amendment that  
5 is the entire state of Florida?

6 So if we want to tweak, as very similar to  
7 what you are talking about, Chairman, if you  
8 are going to tweak a particular area, do you  
9 need to take into consideration the impact  
10 that, the ripple effect, so to speak, on the  
11 rest of the state, or is it going to be an  
12 amendment just for one particular region?

13 SENATOR GAETZ: John, would you like to  
14 offer your thoughts on that, please?

15 MR. GUTHRIE: Yes. All of the plans that  
16 are enacted by the Legislature will be for the  
17 entire state.

18 And the way that it works practically is  
19 that whether you are changing a single block or  
20 totally reconfiguring all of your districts,  
21 the way that amendment will be prepared by Bill  
22 drafting, is they will take a plan that is in  
23 the, on the Senate website and the legal  
24 descriptions from that plan for the entire  
25 state and put that into the text of an

1 amendment.

2 So the legal descriptions for every  
3 amendment will encompass all 27 or 40 or 120  
4 districts.

5 SENATOR GAETZ: Leader.

6 SENATOR GARDINER: So I think, and I think  
7 that is a very good point to make. Everybody  
8 needs to understand that though they may be  
9 interested in one particular area, if they are  
10 going to come and advocate for an amendment for  
11 that one particular area, it will have an  
12 impact and it will be proposed publicly as the  
13 entire state.

14 MR. GUTHRIE: Yes.

15 SENATOR GARDINER: Okay.

16 SENATOR GAETZ: And that is the reason why  
17 we are fortunate to have excellent professional  
18 staff. We have -- we have attorneys on our  
19 staff, Mr. Guthrie, of course, is recognized as  
20 the national expert in this area.

21 If you want to propose an amendment and I  
22 am sure there will be amendments and we  
23 certainly don't want to discourage amendments,  
24 work with the professional staff so that your  
25 amendment is, can be, so that your amendment is

1 no discounted out of hand because it upsets all  
2 sorts of other apple carts.

3 If it upsets other apple carts, that may  
4 be fine, but then let's take into account how  
5 that is going to happen.

6 So our professional staff is ready,  
7 willing and able to work with you on amendments  
8 and then to help you understand the  
9 consequences of those amendments and defend the  
10 consequences.

11 Leader Rich.

12 SENATOR RICH: Thank you, Mr. Chairman. I  
13 do want to support your idea of no late filed  
14 amendments. I think that going back to the  
15 discussion we had at the very beginning, I  
16 think that this adds to your goal of  
17 transparency and things not just appearing all  
18 of a sudden and having very little vetting.

19 So I certainly support the concept and  
20 would, you know, hope that the whole Committee  
21 would as well. Thank you.

22 SENATOR GAETZ: Thank you for your  
23 support, Leader. Yes, Senator Sachs, and then,  
24 I apologize, Senator Storms, you are next.

25 SENATOR SACHS: Thank you very much,

1 Mr. Chairman. In echoing our Leader, Nan Rich,  
2 this is probably been the most transparent way  
3 that redistricting and reapportionment has  
4 occurred in the state of Florida.

5 I know it has taken a little time to get  
6 through the procedures, but that is the way it  
7 should be, and so I applaud your efforts and I  
8 applaud Leader Rich for keeping an eye on  
9 everything on behalf of our party and I  
10 certainly applaud the staff.

11 I am with you all the way. I don't care  
12 how long it takes to get the procedures up and  
13 going. The important thing is what it says  
14 right up there, keep the process open and  
15 transparent. So I applaud these efforts.

16 SENATOR GAETZ: Thank you, Senator.  
17 Senator Storms.

18 SENATOR STORMS: Thank you, Mr. Chair.  
19 So, Mr. Guthrie, can I just understand, will  
20 you help me understand a little bit better what  
21 we are talking about here?

22 So staff will submit, we will start with  
23 the tolling of the five business days which  
24 could, depending on when it comes out, if it  
25 comes out Monday morning at 8:00, what is the

1           likelihood of you releasing it like at Monday  
2           night at 11:30?

3                     Sometimes budgets get released like that,  
4           and conforming Bills with 2,000 pages get  
5           released like that.

6                     So I am wondering what is the likelihood  
7           that you would release it like at 11:00 at  
8           night?

9                     SENATOR GAETZ: Let me answer that  
10          question, Senator Storms. There is going to be  
11          an immense amount of detailed work here, and a  
12          member who comes in and files what they  
13          consider to be a simple amendment, may appear  
14          to be simple, but may have all sorts of  
15          consequences.

16                    This staff already has been working night  
17          and day, and so there is every possibility that  
18          something may be, may be launched, if you will,  
19          at 11:30 at night.

20                    Every possibility, not because somebody is  
21          trying to do something at night, but because we  
22          are having to do something at night. So I  
23          don't want there to be any expectation that  
24          there are going to be any surprises.

25                    That is why I am proposing these

1 procedures, but please understand that the  
2 lights are probably not ever going to get  
3 turned off in the Senate Reapportionment  
4 Committee as we get closer to this process, and  
5 there will be launches made in the middle of  
6 the night, but that is why we have seven  
7 calendar days.

8 There are not going to be any surprises  
9 here if this Committee supports our proposal  
10 for the no surprises procedures.

11 SENATOR STORMS: So follow up, Mr. Chair?

12 SENATOR GAETZ: Of course.

13 SENATOR STORMS: So Mr. Guthrie, so we  
14 have an 11:00 Monday night release of the  
15 initial Bill. Then when, when does, if it was  
16 five business days, if that is when it starts  
17 ticking, when does that stop?

18 When does that five business days stop in  
19 your professional opinion?

20 MR. GUTHRIE: Thank you, Mr. Chairman.  
21 The -- in redistricting, whether we are talking  
22 about legal reviews or public notice prior to  
23 Committee meetings, what is important is to  
24 work from the end time back.

25 So let's, so if we have a meeting that is

1 scheduled for 2:00 p.m. on Wednesday afternoon,  
2 the seven days would in my mind would be 2:00  
3 o'clock p.m. the prior Wednesday.

4 SENATOR STORMS: Mr. Chair, follow up.

5 SENATOR GAETZ: Yes, Senator Storms.

6 SENATOR STORMS: Where is the two days for  
7 the amendments, because as I am understanding,  
8 for the amendatory process, because as I am  
9 understanding what Senator Latvala, and I  
10 haven't done this before.

11 I did redistricting at the local level  
12 with local County Commission seats, but not  
13 here.

14 So I am saying, as I understood the  
15 process, there is a five-day initial Bill and  
16 there is two business days to do the amendatory  
17 process.

18 MR. GUTHRIE: Okay, so in that same  
19 Wednesday scenario, two days prior to 2:00 p.m.  
20 on Wednesday would be 2:00 p.m. on Monday.

21 SENATOR STORMS: Okay, so then and then  
22 you would back up your five business days from  
23 that 2:00 p.m. on Monday, to five business days  
24 before that is when you would expect to have it  
25 released, that is what your goal is right now

1 as we talk today?

2 MR. GUTHRIE: Yes.

3 SENATOR STORMS: Okay, so one more  
4 question, Mr. Chair?

5 SENATOR GAETZ: Of course.

6 SENATOR STORMS: So historically how long,  
7 how big has the text been, not the maps, but  
8 the text of the Committee Bill been? What size  
9 of a document are we talking about?

10 SENATOR GAETZ: Mr. Guthrie.

11 MR. GUTHRIE: Hundreds of pages for the  
12 legal description. In your packet today we  
13 have the verbiage that goes with that Bill  
14 which is only four pages, but once you add in  
15 the legal descriptions, it grows much longer.

16 Now, by keeping counties and VTDs whole,  
17 you will make that throw weight a lot lighter.

18 SENATOR STORMS: And so is that -- just to  
19 clarify. Are we talking about 800 pages or are  
20 we talking about 2,200 pages, in general, in  
21 your experience?

22 MR. GUTHRIE: We are talking about two or  
23 300, 400 pages.

24 SENATOR STORMS: Okay. I am just trying  
25 to understand.

1           SENATOR GAETZ: And the reason for that,  
2           Senator Storms, again, so that we will all  
3           understand, the public will understand, and I  
4           don't mean to use this as a pejorative, but the  
5           Federal Healthcare Reform Bill was a very long  
6           bill, whether you were for it or against it.

7           It was a very long Bill and some people  
8           said that they didn't believe that members of  
9           Congress fully understood it or even read it,  
10          maybe they did, maybe they didn't.

11          The reason why this proposed Committee  
12          Bill will be the length that it is, is not to  
13          create a forest in which you can't find the  
14          trees, but because it is required that the  
15          legal descriptions be in the Bill. They have  
16          to be in the Bill. Leader Gardiner.

17          SENATOR GARDINER: Just to, maybe this  
18          will help clarify a little bit. If it is five  
19          business days and then I as a member of this  
20          Committee decide that I want to do an amendment  
21          to what has been filed, if I were to come to  
22          staff and say, I want to change one particular  
23          area for whatever reason it may be.

24          How long, working with the staff here,  
25          would it take to draft an amendment, to tweak a

1 particular area, take into consideration the  
2 ripple effect, an hour, a day? How long would  
3 something like that take?

4 SENATOR GAETZ: Mr. Guthrie, how do you  
5 want us to work with your staff? Again, if  
6 everybody didn't hear the Leader's question.

7 We get a draft of a proposed Committee  
8 Bill, and again, if we are doing this the way  
9 we ought to do it, the proposed Committee Bill  
10 is not going to be something that we go, wow, I  
11 never saw that before.

12 But rather it would be the product of the  
13 regional guidance, the guidance as to specific  
14 regions that this Committee gives to our  
15 professional staff, and the proposed Committee  
16 Bill then is the fitting together of that  
17 guidance as opposed to, on my God, I never  
18 imagined that they would do that. That is  
19 different.

20 So -- but in any case, there you have it,  
21 now we have the proposed Committee Bill, and  
22 let's assume it is Senator Gardiner, Senator  
23 Rich, any number of other people that come in  
24 and say, boys, you just didn't get it. You  
25 didn't do this right.

1           I have got an amendment, or, you know, my  
2           constituents have contacted me, you know, they  
3           are concerned about something. How do you want  
4           us to work with the professional staff in that  
5           context, as to timing, how much time will it  
6           take, you know?

7           Give us a little direction here because we  
8           know your folks are going to be working often  
9           around the clock, but we want to make sure that  
10          we can get our amendments out, too.

11          MR. GUTHRIE: So we are not going to be  
12          working with the Bill language. All of the  
13          work that you will do and the staff will do, I  
14          don't read the legal descriptions either.

15          They must go in the law as the Chairman  
16          said, but none of us will be amending or  
17          working on legal descriptions. We will be  
18          working on maps.

19          SENATIR GARDINER: Right.

20          MR. GUTHRIE: And the fundamental rule of  
21          keeping your populations equal is that if you  
22          are going to add territory to a district and  
23          keep population equal, you are probably going  
24          to have to take something else out.

25          And so where you add you have grown into

1 another district. Where you remove population,  
2 another district is going to be growing into  
3 you, and that creates this rotation that may  
4 involve two or four, sometimes 12 or 15  
5 districts are impacted by, as Senator Gaetz  
6 said, the ripple effect or the rotation that  
7 must occur to get your population back to  
8 equal.

9 And the more, so the more extensive the  
10 change, the longer it is going to take.

11 SENATOR GARDINER: Mr. Chairman, I guess  
12 my question is, if I come in and I say I want  
13 to tweak this little area, take into  
14 consideration exactly what you, your example,  
15 you are looking at the computer, I am looking  
16 at the computer.

17 Is it an hour, is it two hours? How long  
18 would something like that take?

19 MR. GUTHRIE: If you have got in mind the  
20 full rotation, how the whole thing is going to  
21 balance out, then it can be done in a matter of  
22 minutes.

23 Once I get a plan I drop it into a hopper.  
24 It runs through an automatic process and which  
25 produces what you see on the Senate website.

1           So for each of the 64 plans that we have  
2 already, they each have their own plan page on  
3 the Senate website.

4           We have got PDF reports, we have got  
5 spreadsheets where you can look at the  
6 statistics for those plans. We have got the  
7 map. We have got the downloads, and you can  
8 actually pull up the districts to explore  
9 application and look at the map interactively.

10           SENATOR GAETZ: Senator Gardiner to follow  
11 up, then we will go to Senator Dean.

12           SENATIR GARDINER: Yes, it may be more of  
13 a comment, Mr. Chairman. I know that the  
14 members are learning how to use this computer  
15 system.

16           I think it is very important when these  
17 amendments are being filed that they are  
18 working with John and their staff, because what  
19 I wouldn't want to see is somebody does an  
20 amendment, comes to the Committee and it is  
21 possibly not done exactly right and it is  
22 discounted and thrown out because they have not  
23 worked with staff.

24           Maybe they were working with their own  
25 staff, their own legislative staff, but I think

1           it is so important that whatever that amendment  
2           is, that they are working with John so it is  
3           not just completely discounted as soon as it  
4           comes in here because they took from one area  
5           and didn't take into consideration the  
6           ramifications somewhere else, so.

7           SENATOR GAETZ: And that is why, and  
8           Senator Dean is next, but that is why we are  
9           very sincere in saying, if you have some, a  
10          point of view about your area based on your  
11          knowledge of the geography, the demographics,  
12          the Town Hall meetings you have with your  
13          constituents, the mail you are getting, if you  
14          have a particular point of view about your area  
15          or my area or some other part of the state or  
16          some other aspect of this process, please don't  
17          hold your cards to the very end, because there  
18          is a risk there.

19          And Leader Gardiner has articulated the  
20          sub text of that risk. Please come forward, if  
21          you don't want to talk to me, that is fine, you  
22          can talk to John, you can talk to the other  
23          members of our staff and say, now, look, I have  
24          got a particular point of view here that is  
25          informed by the testimony that we have taken,

1 informed by what I am hearing from my  
2 constituents and I want you to take that into  
3 account and take that seriously.

4 So, you know, play those cards as soon as  
5 you possibly can. We really want to get the  
6 information out.

7 Senator Dean.

8 SENATOR DEAN: Based on that assumption  
9 that we are all going to have and dissent,  
10 impact on different things and moving like one  
11 district or bring another one in, an enclave of  
12 voters or moving them out, I have all or part  
13 of 13 different counties.

14 Every time somebody touches a map they are  
15 going to be moving me. So please, I am just  
16 going to beg you, I am going to try to bring my  
17 staff up here, let you train them and let them  
18 sit me down as often as they can and mess with  
19 my mind about being confused.

20 Because the fact is, there isn't anything  
21 that I have seen so far anywhere, except maybe  
22 further down in Senator Bullard's district in  
23 Key West, or South Florida, that is not going  
24 to move my line somewhere.

25 So I am concerned that I keep up to speed,

1 my staff keeps up to speed with you, but as  
2 someone that does a good job as I say in Putnam  
3 County or here in Leon County or somewhere, one  
4 of the counties that I am a part of, moves me  
5 or puts me in or takes me out, it is almost  
6 going, I am going to have to have somebody to  
7 sits by the computer every day to talk to you  
8 to see how I have been moved or where the  
9 district is.

10 So I don't want to poor mouth, but there  
11 isn't much I have seen so far that isn't going  
12 to effect me in every way because of all or  
13 part of the 13 counties that I represent.

14 SENATOR GAETZ: Senator Dean makes an  
15 excellent point and other Senators. I think  
16 Senator Dean makes that point  
17 disproportionately because he really is  
18 affected disproportionately, but everybody  
19 else, you know, we are going to keep the coffee  
20 pots on downstairs and I would encourage you to  
21 have your staff stay connected in real time to  
22 what is going on.

23 Nobody is going to say, don't come down  
24 here. Nobody is going to say, we don't want to  
25 hear from you. We really do want to hear from

1           you and we want your staff connected, and we  
2           don't want surprises.

3                   There will be surprises in the process  
4           because that is the nature of the process, but  
5           as much as we can eliminate surprises, then to  
6           Leader Gardiner's point, we are not going to be  
7           discounting what may be a good idea because,  
8           because it didn't get vetted.

9                   And so it throws off Senator Dean's  
10          district, it causes some retrogression  
11          somewhere. It creates an equity problem  
12          someplace else or a compactness problem that we  
13          can't resolve.

14                   So it is critical that we all stay  
15          engaged, and I am sorry, I know we are all  
16          real, real busy, we all have other Committee  
17          assignments, we have Bills. This is once in a  
18          decade.

19                   Senator Lynn -- I am sorry, Senator  
20          Bullard, then Senator Lynn.

21                   SENATOR BULLARD: Thank you, Mr. Chairman.  
22          I want to thank Senator Gardiner for beginning  
23          this dialogue because we definitely need to  
24          discuss this.

25                   Senator Dean is right on target. There

1 was a lot of movement in 2002, and I just -- I  
2 am feeling that this is really grand what we  
3 are doing in terms of transparency. I like  
4 this.

5 However, I want to be assured that at the  
6 late night hours, and I mean, I know, I am  
7 happy that today we cut off at a certain time,  
8 and that we are not living into 2:00 in the  
9 morning unless we move to do that.

10 But in the late night hours when someone  
11 says, well, you know, let's do this, and  
12 something is changed and that happened a lot in  
13 2002.

14 As a result, District 39, I am not going  
15 to say my, but District 39, that district was  
16 not constructed. I did not know where that  
17 district and where my people were until six  
18 months later, and the elections were over and  
19 people did not know they were in the district.

20 It was a very -- it wasn't a nice process,  
21 and I, and I am against that and I am very  
22 cautious in moving forward, because -- how do  
23 you know?

24 You don't know until once it has happened,  
25 and once it has happened, you, that is it, and

1           you have it, but you don't know that you have  
2           it.

3           So I do appreciate the transparency, but I  
4           really want to understand and hopefully and  
5           prayerfully people will have the conscious to  
6           not go at the 11:30 or the 12:00 or the 11:55  
7           hour and decide that, you know, we are going to  
8           change this.

9           SENATOR GAETZ: Well, that Senator  
10          Bullard, is why the Majority Leader and the  
11          Minority Leader I believe are supporting the  
12          idea of no last late, you know, no late filed  
13          amendments and appropriate public notice.

14          If you don't know what the proposed  
15          Committee Bill is and how it affects your  
16          district, it won't be our fault. If you don't  
17          know in advance about an amendment, it is  
18          because you didn't look at the amendments as  
19          they were being filed, and if you, if any  
20          Senator needs, needs assistance in  
21          understanding how to stay abreast of the  
22          process, and as Senator Dean says, staying  
23          connected to the consequences for your  
24          district, the district you represent, please  
25          hang out down in the Reapportionment Committee

1 office.

2 Have your staff members stay in close  
3 touch, get a staff member of yours to buddy up  
4 with one of the staff members in the  
5 Reapportionment Committee so you can stay  
6 connected. I believe Senator Lynn was next.

7 SENATOR LYNN: Thank you, Mr. Chairman.  
8 You have been amazingly transparent and very  
9 open with everything you have done. You have  
10 allowed endless numbers of people to speak on  
11 anything and everything they wanted to do  
12 pertaining to the maps.

13 And I think the ultimate goal that we must  
14 always keep in mind, and I think you have kept  
15 us on track, is what is going to be the best  
16 map for the state of Florida in terms of how it  
17 best represents the people of the state of  
18 Florida and gives them opportunities.

19 So as we are talking about amendments and  
20 concerns about specific districts and so forth,  
21 I think it is very, very important that we keep  
22 in mind, it is not that it relates to  
23 somebody's district.

24 It is a district that has a variety of  
25 concerns and interests that you maybe will

1 speak to in terms of how it will best serve  
2 those people and I would not want anything to,  
3 that was said to be misinterpreted that someone  
4 on this Committee might be looking to protect a  
5 district for themselves, because I don't  
6 believe that is what was intended, but I do  
7 believe we need to make that very clear, that  
8 what we are working on is to provide districts  
9 that will best represent the people in the  
10 state of Florida and respond to the many issues  
11 that we heard.

12 SENATOR GAETZ: Thank you very much,  
13 Senator Lynn. Any other comments at this  
14 point? If not, we would like to move -- yes,  
15 sir, Senator.

16 SENATOR MONTFORD: Thank you, Mr. Chair, I  
17 am not exactly sure if this should be now or at  
18 the end, but I will go ahead and take this  
19 opportunity.

20 I attended 11 out of the 26 public  
21 hearings and I never thought we would get to  
22 the point where we are today, and that is, I  
23 think a sense of comfort, and that comes I  
24 think from your direction and the work of the  
25 staff.

1           In my own personal life back with the  
2 school rezoning I didn't think anything could  
3 be worse than that, but through the public  
4 hearings people were agitated, but interested,  
5 and I think you have gone, taken extraordinary  
6 efforts to keep it transparent so that  
7 everybody would have, everybody would have a  
8 chance to speak, and have time to react, and I  
9 think that was more important than anything.

10           So I just want to say thank you. I have  
11 learned a lot in this process already. I  
12 didn't think we could get to this point as  
13 where we are, at least at this comfort level.

14           So thank you from my constituents, thank  
15 you and the staff for making it to the point  
16 where we are today.

17           SENATOR GAETZ: Thank you, Senator  
18 Montford. Although I would emphasize that we  
19 are still in the pre-game, we are, we are  
20 about, the whistle is about ready to blow to  
21 start the game, to start the real process.

22           And John, what I would like to do is just  
23 move out of order just a little bit, if you  
24 wouldn't mind, because of the fact that we have  
25 had a very thorough going and useful

1 discussion, come to consensus on a number of  
2 things.

3 John, if it is all right with you, may we  
4 please move to tabs three and four now for a  
5 discussion of the format for the joint  
6 resolution of apportionment and the Bill  
7 establishing Congressional Districts?

8 It is important that we give our  
9 professional staff our guidance and approval of  
10 that format, because those are the two by six's  
11 and two by eight's that really form the  
12 framework for how we are going to build the  
13 rest of this legislation.

14 Is there any objection to moving to tabs  
15 three and four? If not, John, would you please  
16 take us through that information?

17 MR. GUTHRIE: Thank you, Chairman. Tab  
18 three is the format for a Senate Joint  
19 Resolution of Apportionment.

20 As we noted earlier, the Joint Resolution  
21 is only four pages long when you take out the  
22 legal descriptions.

23 The most important part of a joint  
24 resolution is right here in the title where we  
25 cross reference the Joint Resolution to Senate

1 plan numbers, and we have worked out a naming  
2 convention with the House so that the House of  
3 Representatives and the Florida Senate is, are  
4 both going to be using the same numbers for  
5 plans.

6 So what that, the two blanks on this page,  
7 on line four are going to cross reference a  
8 plan that exists in the Senate's submitted  
9 plans folder, okay, and here are the 64 plans  
10 that have been submitted by the public so far.

11 If a Senator submits a plan, it will  
12 appear in this same list and for any of these  
13 proposals, if you click on the plan name, you  
14 go to the plan details page and among the  
15 downloads for that plan is a legal description  
16 of the districts.

17 And by, if we open that legal description,  
18 we see all of the numbers that we were  
19 referring to earlier that just go on for page  
20 after page after page.

21 That is what will get inserted into, in  
22 the case of Senate Joint Resolution, line 57 is  
23 where the State House Districts will be  
24 inserted, and line 62 is where the State Senate  
25 Districts will be inserted.

1           And when we insert, so when we insert all  
2           of these numbers that is when this simple  
3           little four-page document becomes scores, if  
4           not hundreds of paged long. Okay.

5           SENATOR GAETZ: President Margolis.

6           SENATOR MARGOLIS: In preparing an  
7           amendment, you are going to have to delineate,  
8           you have a legal description with every number  
9           there, every one of those blocks?

10          MR. GUTHRIE: In order for a plan to be --

11          SENATOR MARGOLIS: So the legal  
12          description is attached to a number? Have you  
13          -- have you --

14          MR. GUTHRIE: So back to the plan page  
15          here, this is S pub S 0064.

16          SENATOR MARGOLIS: Right, right.

17          MR. GUTHRIE: Senator Margolis, if you  
18          were to submit the next plan, it would be S  
19          035, which is your district number.

20          SENATOR MARGOLIS: Right.

21          MR. GUTHRIE: If it were a Senate plan,  
22          this would, the fifth, the fourth letter is  
23          either S, H or C, indicating it is a Senate,  
24          House or Congressional plan, and then the 0064  
25          is just a sequential number so the next one

1           might be 65.

2                   SENATOR MARGOLIS:   And in submitting plans  
3 they have to be full plans?

4                   MR. GUTHRIE:   In order for a plan to be  
5 considered for a Bill or an Amendment, and a  
6 legal Bill or an Amendment, it must be a  
7 complete plan, yes.

8                   SENATOR MARGOLIS:   And you would have --  
9 you would input the legal description based on  
10 the plan or it will be up to the individual?

11                   MR. GUTHRIE:   What you -- what you would  
12 do is in the District Builder software -- let's  
13 go to that, I don't have that opened still.

14                   In the District Builder software there is  
15 a submit button.   When you click the submit  
16 button it sends a copy of your plan to the  
17 redistricting staff.

18                   It also sends you an e-mail saying, here  
19 is the thumb print, a number that indicates the  
20 thumb print of that plan.

21                   I take what you submit and drop it into an  
22 automatic process which results in the plan  
23 appearing on the Senate web page.   So I take  
24 the e-mail that you send to me, using the  
25 submit button on District Builder, drop it into

1 a hopper and it automatically then appears on  
2 the Senate website.

3 So what I as professional staff can  
4 guarantee you and the public and the courts, is  
5 that the block assignment file, which is the  
6 definition of, in Department of Justice format  
7 of where, what district each block in the state  
8 is assigned to, matches up with all of the  
9 reports, all of the statistical reports that we  
10 are providing on this page, and with all of the  
11 downloads, including the legal description that  
12 we are providing on this page, and with the  
13 maps that we are providing on this page.

14 SENATOR MARGOLIS: And --

15 SENATOR GAETZ: Yes, ma'am.

16 SENATOR MARGOLIS: Just to get back to the  
17 original question. The block, I mean, if you  
18 look at a block and I happen to have a map, you  
19 know, that has blocks on it, so I know, I guess  
20 everybody does, and -- and -- but -- but if  
21 you, if I told you the block number that I  
22 would like to put into a plan, you have the  
23 legal description for the block number, I  
24 assume?

25 MR. GUTHRIE: Yes, yes, yes. That is

1 established by the United States Census. So  
2 the census geography is --

3 SENATOR MARGOLIS: It is all there.

4 MR. GUTHRIE: An official legal  
5 description for purposes of describing.

6 SENATOR MARGOLIS: So if somebody comes in  
7 and said, you know, I want to exclude block  
8 this and include block that, that, I mean,  
9 without going through a big rigmarole to define  
10 it by a legal description, you could just plug  
11 that in?

12 MR. GUTHRIE: Right.

13 SENATOR GAETZ: And President Margolis, I  
14 would just say this for all Committee members.  
15 We want to make the amendatory process Senator  
16 friendly, and so I may not know the census  
17 block.

18 MR. GUTHRIE: You don't need to.

19 SENATOR GAETZ: I just know Rocky Bayou,  
20 you know, it is, I think it ought to be in the  
21 Fourth Senate District. It is not now, and so  
22 I come to John and say, John, get out your map  
23 of northwest Florida, I am going to point here  
24 with my finger to Rocky Bayou.

25 See how we got testimony that said that

1           these people think that they are in the wrong  
2           place and they want to be in the Fourth Senate  
3           District or whatever.

4                     Help me out in developing an amendment  
5           that will articulate that change. Obviously,  
6           as technical savey you can be, that is  
7           terrific.

8                     But if what you are is a guy like me comes  
9           down with a map and a finger and says, this is  
10          a problem that we didn't take care of that we  
11          heard in testimony that we should take care of,  
12          we want to make this process Senator friendly,  
13          but -- but, but, but.

14                    If I want to do that and I know I want to  
15          do that, I shouldn't wait until the last dog is  
16          hung. I should come down tomorrow. I should  
17          come down this next week.

18                    I should come down soon and say, John,  
19          this is a concern. Now, we heard the testimony  
20          and when you prepare the proposed Committee  
21          Bill, listen to what we heard from the people  
22          who testified.

23                    So that we are not crowded all up at the  
24          end of the day with lots of amendments, because  
25          a lot of what we want to do can be included in

1 the proposed Committee Bill. We have got the  
2 testimony. We have got the maps. We have  
3 heard what people have to say.

4 So please, if you know what you want to do  
5 because of what you have heard, what we have  
6 heard, the maps that we have received, bring  
7 that information forward as soon as you can.  
8 But we will make it as friendly as we can make  
9 it.

10 Other comments or questions? Do you see  
11 the format before you? John, procedurally,  
12 what do you want us to do? Do you want us to  
13 by consensus give you guidance on this?

14 MR. GUTHRIE: Well, this will be the, what  
15 we come forward with in the proposed Committee  
16 Bill. So we will take this language.

17 It very simply, it includes a cross  
18 reference to the plan numbers. It says that  
19 the 2010 Census is the census for purposes of  
20 redistricting in this state.

21 It defines as we were, block, track,  
22 voting tabulation district, with the -- with  
23 the specific definitions that they have for  
24 redistricting Bills.

25 It has a place for the House and Senate

1           Districts. It has Section 4 and Section 5  
2           which are provisions that would cure an  
3           inadvertent completeness problem or contiguity  
4           problem with a plan that was passed by the  
5           Legislature.

6           And the draft says that the new districts  
7           will apply for future elections, so for the  
8           election starting with 2012.

9           SENATOR GAETZ: Any questions about this  
10          format? President Margolis has raised a very  
11          good point as to how we would proceed to fill  
12          in the blanks here.

13          Any other questions about the format? If  
14          not, John, then I think you can take from the  
15          Committee their support for the format and to  
16          go forward on that basis.

17          John, I think that while we had planned to  
18          maybe review individual maps that we have  
19          received in testimony to date, why don't we  
20          defer that for the regional meetings if that is  
21          agreeable with you.

22          Is there any reason why we should not do  
23          that, because I would like to make sure we have  
24          time for public testimony today.

25          MR. GUTHRIE: That is an excellent

1 suggestion. This slide shows a break down of  
2 the 64 plans that have been submitted thus far.  
3 So we have got a total of 34 Congressional  
4 plans, 12 Senate and 18 House.

5 Among those, 20 of the Congressional plans  
6 are for the entire state. Six of the Senate  
7 plans are for the entire state, and four of the  
8 House plans are for the entire state.

9 So that is the break down of what we have  
10 gotten from the public so far. All of those  
11 are listed on the Senate Redistricting website.  
12 So from the Florida Senate home page, go to the  
13 Redistricting link, and then if you click  
14 submitted plans, you have got a listing of all  
15 64 of those plans, and by clicking on any of  
16 those plans you can launch its page.

17 You can launch District Explorer. Senator  
18 Bullard said she had trouble ten years ago  
19 knowing the details of where her district went.

20 Well, now within five minutes of when a  
21 plan is dropped into the hopper, anybody in the  
22 world can get neighborhood level detail about  
23 exactly where the lines are drawn.

24 Nowhere else is that being provided to the  
25 public or to -- or to Representatives and I

1 think you can take great comfort in that  
2 information.

3 SENATOR GAETZ: And I would encourage  
4 Senators to go now in the next few days. I  
5 know everyone is busy, but to go to the  
6 submitted plans, because let me emphasize  
7 again, that the plan that I hope to vote for,  
8 the Committee Bill that I hope to vote for will  
9 be derived from the information we have  
10 received from the public and the information we  
11 will receive from the public.

12 There is not going to be a magical plan  
13 sprung fully grown from the brow of Zeus. That  
14 has no basis in the information and input that  
15 we have received from the public. That is just  
16 not going to happen in this Committee.

17 And so I would urge you to go and become,  
18 into the District Builder, become familiar with  
19 what has been submitted and what will be  
20 submitted, because my expectation is, my hope  
21 is that now that we have set a deadline of  
22 November 1st, that some of those who have, who  
23 have kind of laid back may come forward.

24 I want to announce again just so you know  
25 that I have signed and during this meeting I

1 have signed letters along with Chairman  
2 Weatherford to civil rights and minority rights  
3 advocacy groups around the state asking them  
4 now to please, at long last, come forward and  
5 give us the benefit of their thinking.

6 At this point, and we will do this as a  
7 matter of form at every single meeting. It is  
8 just something we want to do to make sure  
9 everybody is included.

10 Are there any Senators, any members of  
11 this Committee who wish to offer any plans for  
12 the Committee's consideration today?

13 Anybody would like to make a presentation  
14 of any plan or comment on any plan that has  
15 been presented by someone else? And I am sure  
16 this will be a livelier part of the meeting,  
17 probably the main part of the meeting going  
18 forward, but I want to make that offer to every  
19 member of the Senate today.

20 All right, are there any Representatives  
21 of any, and I don't mean this in a pejorative  
22 way, when I say special interest, American  
23 Cancer Society is a special interest group,  
24 and, you know, special -- any members of any  
25 interest groups who are here today who wish to

1 offer a plan, having had the opportunity,  
2 couldn't attend one of our 26 hearings, maybe  
3 hung back, waited to see when was the right  
4 time? Any members of any interest groups who  
5 wish to come forward today?

6 Finally, are there any members of the  
7 public who wish to come forward today and offer  
8 any public testimony on any plan that has been  
9 submitted, any plan that you would like to  
10 submit or to comment on anything that you have  
11 heard today about the process, the procedure or  
12 the timelines of this Committee? Any member of  
13 the public?

14 If not, then let me showcase for you again  
15 that we will be meeting next the week of  
16 October the 5th, is that right? Do we have a  
17 date from the President's office?

18 It is October 5th, and do we have a time?  
19 Say that again, please. 1:00 to 6:00, and what  
20 day of the week is that?

21 A VOICE: Wednesday.

22 SENATOR GAETZ: Wednesday, October 5th,  
23 from when to when?

24 A VOICE: Starting at 1:00.

25 SENATOR GAETZ: Beginning at 1:00, and

1           that will be a very meaty discussion. We will  
2           begin looking at maps that have been submitted  
3           for northwest Florida and maps that might be  
4           submitted between now and then.

5           Is there any other business to come before  
6           the Committee today?

7           I would like to ask the Majority and  
8           Minority Leaders if they have any comments  
9           before we conclude. Senator Rich?

10          SENATOR RICH: I think we took care of a  
11          lot of the housekeeping and I am looking  
12          forward to the next meeting when we will  
13          actually get into the nuts and bolts with the  
14          maps and really dealing with what the people  
15          out there have to say.

16          And just, it will be a very interesting  
17          and I want to say just kind of enlightening  
18          process to all of us as we move along, so.

19          SENATOR GAETZ: Thank you, that is a good  
20          adjective. For those who have not been  
21          involved before.

22          SENATOR RICH: Right.

23          SENATOR GAETZ: We hope it is  
24          enlightening. We have heard it might be other  
25          things, too.

1           SENATOR RICH: Right.

2           SENATOR GAETZ: Leader Gardiner.

3           SENATIR GARDINER: Thank you,  
4           Mr. Chairman. As I mentioned earlier, just  
5           thank you for the openness and really all of  
6           the members of the Committee.

7                    It is enlightening, but it is also  
8           rewarding if everybody is working together and  
9           there is no surprises and it is done in a  
10          transparent fashion.

11                   I think we have done that and I think we  
12          have laid out a roadmap to continue that. So  
13          thank you, Chairman and everybody have a safe  
14          trip home.

15                  SENATOR GAETZ: And with that, Senator  
16          Margolis moves we rise.

17                    (Whereupon, the proceedings were  
18          concluded.)

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C E R T I F I C A T E

STATE OF FLORIDA )

COUNTY OF LEON )

I hereby certify that the foregoing transcript is of a tape-recording taken down by the undersigned, and the contents thereof were reduced to typewriting under my direction;

That the foregoing pages 2 through 135 represent a true, correct, and complete transcript of the tape-recording;

And I further certify that I am not of kin or counsel to the parties in the case; am not in the regular employ of counsel for any of said parties; nor am I in anywise interested in the result of said case.

Dated this 27th day of October, 2011.

\_\_\_\_\_

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014