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REDISTRICTING COMMITTEE
TUESDAY, JULY 12, 2011
FLAGLER COLLEGE (AUDITORIUM)
ST. AUGUSTINE, FL

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 CHAIRMAN GAETZ: Thank you very much. The
3 Joint Senate House Redistricting hearing here
4 in St. Augustine is called to order. We want
5 to thank our friends at Flagler College for
6 allowing us to use this outstanding facility.

7 Typically when we have meetings like this
8 we are in a much more intimate relationship
9 with the audience. I feel as though we have a
10 football field and a half between us and you,
11 and that is not the way we like it.

12 Usually we like to be where you can see
13 the whites of our eyes, but this is a beautiful
14 facility and we are extraordinarily grateful to
15 the folks at Flagler for making it available to
16 us.

17 Thank you all for being here, especially
18 the members of the public who have come to
19 share their comments and their recommendations
20 to help shape Congressional Senate and House
21 Districts for the next decade here in our
22 state.

23 My name is Senator Don Gaetz and along
24 with my colleague immediately to the left, the
25 Speaker Designate of the Florida House of

1 Representatives, Will Weatherford, I will be
2 chairing today's hearing which is webcast
3 statewide by the Florida Channel over the
4 Internet.

5 Our sole purpose today is to hear from the
6 public about how you believe the legal
7 standards governing redistricting ought to be
8 applied in your community and in your part of
9 Florida so that you are represented in
10 Washington and Tallahassee fairly, equitably
11 and sensibly.

12 Our procedures for today's hearing are
13 simple, but important. First, it is important
14 that you sign in so that we with can create an
15 accurate public record of all of who attended
16 and all who spoke, and also you may wish to
17 join our e-mail list so that we can keep you
18 informed about how the redistricting process is
19 working and moving forward.

20 If you have not signed in, please raise
21 your hand. If you haven't signed in and a
22 member of our staff will find you with a sign
23 in card. If you wish to speak today, but you
24 have not yet filled out a speaker card, please
25 raise your hand and we will get you a card so

1 that you can be called on in order and we won't
2 miss the benefit of your testimony.

3 It is the same attendance card, whether
4 you wish to speak or simply listen and record
5 your attendance.

6 Before we begin, the Chair recognizes
7 Speaker Designate Weatherford to explain how
8 today's hearing fits into the redistricting
9 process. Mr. Speaker.

10 REPRESENTATIVE WEATHERFORD: Thank you,
11 Chairman Gaetz, ladies and gentlemen, thank you
12 for being here and taking the time to share
13 with us your thoughts.

14 Every ten years the Legislature is
15 required by the Constitution to redistrict the
16 state based on increases and decreases in the
17 movements that are within our population.

18 Because Florida has grown so significantly
19 over the last ten years we are moved up from 25
20 Congressional Seats to 27 Congressional Seats.

21 Because some parts of our state have
22 increased or decreased disproportionately in
23 population, many Senate and House Districts
24 will change either adding or losing population.

25 When redistricting is completed,

1 Congressional Districts must be equal in
2 population and contain 696,345 people. The 40
3 Senate Districts must also be nearly equal and
4 contain about 470,000 people, and our 120 House
5 Districts must also be nearly equal at about
6 156,700 people.

7 We have displays at the very front of the
8 auditorium that show the current boundaries of
9 districts in this area of the state and the
10 number of persons which must be added or
11 subtracted from the current districts to
12 achieve equal population.

13 Equality of representation is not the
14 legal requirement redistricting plans must
15 meet. The laws and important court cases
16 governing redistricting are explained in detail
17 on both the House and the Senate websites.

18 Those websites are listed on the 2012
19 Redistricting brochure that was available to
20 you when you came in. Our Redistricting 2012
21 brochure summarizes Federal and State laws and
22 outlines topics we hope you will discuss here
23 at today's hearing.

24 If you did not get a copy when you came
25 in, they are available on the tables outside

1 the meeting and our staff would be happy to get
2 you a copy if you would just raise your hand.

3 The brochure also lists House and Senate
4 websites. The websites are packed with
5 information about redistricting in Florida,
6 including explanation of laws and important
7 court cases governing redistricting.

8 The two websites are complimentary and are
9 updated frequently. If you visit the two -- it
10 is a great way for you to stay current about
11 your new Congressional, new State Senate or new
12 House Districts as they are taking shape.

13 The websites also deliver to you at your
14 fingertips all of the demographic information
15 that will be used in drawing districts, and at
16 the end the exact same computer programmers,
17 programs that us as Legislators use to draw
18 districts within the state of Florida.

19 Any member of the public can participate
20 in building plans or seeing maps submitted by
21 Legislators or other citizens.

22 Before or during the hearing, Senate and
23 House professional staff are available to show
24 anyone the steps into getting on-line, building
25 districts and submitting a plan to us as the

1 Legislature in the weeks to come.

2 Recommendations from citizens and groups
3 of citizens will be made publicly available
4 immediately. In fact, just as of yesterday we
5 had four plans submitted before this committee,
6 three Congressional plans and one Senate plan
7 all during our hearing.

8 The submission of these proposed maps that
9 makes sense for your community is the single
10 most effective way that you can participate in
11 the redistricting process.

12 The redistricting schedule under which we
13 are operating is imposed by the State
14 Constitution. The Constitution does not allow
15 the Legislature to act on state maps before the
16 second year after the census.

17 In other words, 2012. I am going to say
18 that again. The Constitution does not permit
19 the Legislature to act on any state legislative
20 a maps before the second year after the census
21 which would be 2012.

22 We accelerated this process as much as we
23 possibly could by moving our session up from
24 what normally starts in March, to early
25 January. It has been suggested that the

1 Legislature should draw maps first and then ask
2 the public for comment.

3 We believe that that puts the answer ahead
4 of the question. There should be no
5 preconceptions created by politicians, but
6 rather public testimony that is free and
7 unrestricted from you.

8 In fact, a principle author of Florida's
9 new redistricting standards and the
10 Chairperson, the Florida Fair Districts dot
11 org, actually came and spoke before a committee
12 in Tallahassee and specifically told us that
13 she thought you could not draw any districts in
14 the state of Florida until you got public
15 testimony from people just like you and we
16 agree with her wholeheartedly.

17 Our intent is to use these recommendations
18 that have come from our 26 public hearings and
19 through our Internet sites and all of the other
20 ways that we are gathering information and to
21 use those to draw the maps for the state of
22 Florida.

23 Throughout the process we will solicit
24 additional public input so that proposed maps
25 can mature with public involvement all before

1 the Legislature approves them in 2012.

2 Whatever the Legislature passes, then it
3 is submitted for judicial review to ensure that
4 the final plans meet every single legal
5 requirement.

6 Because our purpose today is to hear from
7 you, all of the time between now and 11:00
8 will be used to ensure that every member of the
9 public who is here and who wishes to speak has
10 enough time to tell us their thoughts.

11 If after every citizen has had his or her
12 say and there is time remaining before the
13 scheduled adjournment, any member of this
14 committee may make a statement, may offer an
15 observation and, of course, any member of this
16 committee or any person here could submit a
17 plan or a map to this committee.

18 Mr. Chairman, I hope the description of
19 our schedule and the process helps set the
20 stage for a very successful hearing today.

21 CHAIRMAN GAETZ: Thank you very much,
22 Mr. Speaker. We will adjourn promptly at
23 10:00 this morning in order to move down the
24 road to our next hearing. There are a good
25 number of individuals, we are very grateful, a

1 large number of individuals who have signed up
2 to speak.

3 If there is anybody else who wishes to
4 speak during the course of the hearing, just
5 raise your hand if you came in late and we will
6 have somebody get to you with a speaker card so
7 that we can call on you.

8 And to ensure that we all have time to
9 speak, I want to take the prerogative of the
10 Chair and ask that everyone try to limit your
11 comments to about three minutes.

12 That way we can make sure that the last
13 person who is on the agenda, the last member of
14 the public has as much opportunity to speak as
15 the first person.

16 Before we begin, Mr. Speaker, I wanted to
17 ask if we could allow the members of the panel
18 to introduce themselves, just briefly indicate
19 what part of the state they come from. That
20 way the audience knows who they are talking to
21 and where they come from. If we could start
22 with Senator Lynn, please, John.

23 SENATOR LYNN: Good morning, all, thank
24 you for being here. I am Senator Evelyn Lynn.
25 I represent Volusia, Clay, Marion and Putnam

1 Counties in District 7.

2 SENATOR DEAN: Good morning, my name is
3 Charlie Dean, I am a Senator from District 3.
4 I represent all or part of 13 counties from
5 Baker County to Leon County, down to 98 and 19,
6 the Citrus and Hernando County line.

7 REPRESENTATIVE SCHENCK: Rob Schenck,
8 Hernando County.

9 REPRESENTATIVE JULIEN: Good morning, John
10 Patrick Julien, representing House District
11 104, which is basically northeastern Miami Dade
12 County. It is a pleasure to be here, and thank
13 you all for coming out.

14 REPRESENTATIVE KIAR: Hi, everybody, my
15 name is Martin Kiar. I am the State
16 Representative for House District 97, which is
17 solely within Broward County. Thank you so
18 much for coming today.

19 REPRESENTATIVE BERNARD: Good morning,
20 Mack Bernard, District 84, West Palm Beach,
21 Florida.

22 REPRESENTATIVE DRAKE: Brad Drake, Fifth
23 House District, panhandle.

24 REPRESENTATIVE GOODSON: Good morning, Tom
25 Goodson, District 29, House of Representatives

1 which is from Mims, Florida, to the St. Lucie
2 County line. Thank you.

3 SENATOR HAYS: Good morning, I am Alan
4 Hays, a State Senator for District 20 which
5 encompasses parts of Volusia County, Seminole
6 County, Lake County, Sumter County and Marion
7 County.

8 REPRESENTATIVE CHESTNUT: Good morning,
9 Representative Chuck Chestnut, House District
10 23, a portion of Marion County and a portion of
11 Alachua County.

12 REPRESENTATIVE REED: Good morning, state
13 Representative Gwyndolen Clarke-Reed, House
14 District 92, northeast Broward County.

15 SENATOR MONTFORD: Good morning, I am Bill
16 Montford, I am State Senator from District 6,
17 which is Tallahassee and the surrounding ten
18 counties.

19 REPRESENTATIVE ADKINS: Good morning, I am
20 Janet Adkins, representing House District 12,
21 which is Nassau, Baker, Bradford, Clay, Union
22 and a bit of Duval counties.

23 REPRESENTATIVE ROGERS: Good morning,
24 Hazelle Rogers, representing District 94,
25 Broward County, a population of 1.8 million and

1 very, very diverse. Thank you. Good morning.

2 REPRESENTATIVE NEHR: Good morning, State
3 Representative Peter Nehr, representing
4 Pinellas and Pasco County.

5 SENATOR THRASHER: Good morning, and first
6 of all, welcome to St. Johns County to all of
7 my colleagues. I am Senator John Thrasher from
8 District 8. I represent parts of Nassau,
9 Duval, St. Johns, Flagler and Volusia Counties.

10 REPRESENTATIVE BAXLEY: Thanks for the
11 home team, right, Senator. Great to be in your
12 district. I am Dennis Baxley from Florida
13 House District 24, that is Ocala, Marion
14 County. Thank you.

15 REPRESENTATIVE HOOPER: Good morning, I am
16 Ed Hooper, representing, a Representative from
17 District 50, part of Pinellas County.

18 REPRESENTATIVE WEINSTEIN: Good morning, I
19 am Mike Weinstein, House District 19,
20 representing parts of Duval, Clay and St. Johns
21 County.

22 REPRESENTATIVE McBURNEY: Charles
23 McBurney, District 16, from Jacksonville.

24 REPRESENTATIVE CALDWELL: Good morning,
25 Matt Caldwell, District 73 down in southwest

1 Florida, Lee County.

2 REPRESENTATIVE JONES: Good morning, State
3 Representative Mia Jones from Jacksonville,
4 north and west.

5 REPRESENTATIVE FORD: Representative Clay
6 Ford, Pensacola, the Florida's other oldest
7 city.

8 REPRESENTATIVE HUKILL: Good morning,
9 Dorothy Hukill, representing Volusia County,
10 District 28.

11 REPRESENTATIVE PASSIDOMO: Good morning,
12 Kathleen Passidomo, Collier County. I
13 represent the city of Naples, Marco Island,
14 Everglades City and a lot of the Everglades.

15 REPRESENTATIVE BOYD: Good morning, I am
16 Representative Jim Boyd. I am in District 68,
17 which is the south side of Tampa Bay, Manatee
18 County.

19 REPRESENTATIVE FRISHE: Good morning, I am
20 Jim Frishe, from Pinellas County. I represent
21 the beaches in Pinellas County, it is a tough
22 duty.

23 CHAIRMAN GAETZ: You may wonder why we
24 have joint hearings, House and Senate together.
25 It is because when Senators make statements,

1 then the House can correct them. I have
2 already made a misstatement.

3 We are happy to be here until 11:00 this
4 morning. I wish we could stay all day, I love
5 St. Augustine. But we will be here until 11:00
6 or as long as there is public testimony to be
7 heard or comments or observations or proposals
8 by members of this Committee.

9 Here is how we will proceed today. I am
10 going to call two names at a time. That way
11 you know you are next, you are on deck. So if
12 you could be ready, that way we could have
13 limited time between speakers.

14 We are going to start with Gloria LeBlanc,
15 representing the St. Augustine Coffee Party and
16 our next speaker will be Sandra Parks, with the
17 Stetson Kennedy Foundation.

18 So we will start with Gloria LeBlanc.
19 Ms. LeBlanc, thank you very much for being with
20 us this morning. I am sorry that you are so
21 far away from us, but we are delighted to have
22 you here and look forward to your testimony.
23 You are recognized.

24 MS. LEBLANC: Thank you, can you hear me?

25 CHAIRMAN GAETZ: Yes, ma'am, but you may

1 want to speak directly into the mike so that
2 everybody here can hear you.

3 MS. LEBLANC: Good morning, my name is
4 Gloria LeBlanc. I have been a resident of
5 Florida since 1970, and a resident of St.
6 Augustine for most of those years.

7 I am also the coordinator of the St.
8 Augustine Chapter of the National Coffee Party.
9 The Coffee Party is a transportation partisan
10 grassroots democracy movement which seeks to
11 empower citizens in the political process.

12 Our goal is an informed and involved
13 electorate that takes seriously the
14 responsibilities of citizenship, not only for
15 the purpose of winning elections, but to ensure
16 effective and just governance on behalf of we,
17 the people, and not on behalf of special
18 interests.

19 Gerrymandering of voting districts is an
20 assault on our democratic form of government,
21 and an insult to the voters of the state. I am
22 requesting that fair districts be created, not
23 only according to the letter of the law, but
24 according to the spirit of the law.

25 I am deeply concerned about the need to

1 speed up redistricting timelines. I, and also
2 I think we need to provide preliminary maps to
3 encourage meaningful discussion and feedback.

4 I strongly urge you to provide maps for
5 just consideration now so that there can be
6 sufficient time for thoughtful examination and
7 consensus building as well as the speeding up
8 of the current timeline.

9 The most important consideration in
10 creating the new districts should be a focus on
11 ensuring that the individual vote of each
12 citizen within a district counts. With that in
13 mind, districts should not be power blocks of
14 political, racial, economic, rural, urban or
15 other group interests.

16 I am asking you to set up districts in a
17 way that preserve as much as possible the one
18 person, one vote I deal for each district. As
19 we try to achieve consensus as to what is truly
20 a fair district, we would do well to consider
21 the guiding principles of our founding fathers
22 as outlined in the preamble to the
23 Constitution.

24 The preamble begins, "We, the people of
25 the United States", it does not say, we, a

1 select constituency group or special interest
2 group. It continues, "in order to form a more
3 perfect union", it does not say in order to
4 create imbalance, division and polarization
5 among groups and parties, or in order to form
6 power monopolies in voting districts.

7 To establish justice, gerrymandering is a
8 clear violation of justice that, in effect,
9 disenfranchises large segments of our
10 population.

11 Finally, creating truly fair districts
12 according to the spirit of the law is indeed a
13 challenging task. I would ask this committee
14 to keep in mind a long term vision as you
15 create the new maps.

16 Consider how the districts you set up now
17 will lead to a more perfect union in the years
18 to come. It is high time to end the
19 polarization that is infecting our politics and
20 our culture.

21 Please protect the power of one person,
22 one vote so that the form of democracy
23 envisioned by our founding fathers is restored
24 and preserved for future generations.

25 CHAIRMAN GAETZ: Thank you, Ms. LeBlanc,

1 very, very good testimony. And next Sandra
2 Parks from the Stetson Kennedy Foundation, and
3 then following Ms. Parks, Stetson Kennedy from
4 the Stetson Kennedy Foundation.

5 Sandra Parks, you are recognized. Thank
6 you very, very much for being here.

7 MS. PARKS: And thank you for this
8 opportunity and I know that there is going to
9 be a greater peace in the family if I invite my
10 husband, Stetson Kennedy, to speak first.

11 CHAIRMAN GAETZ: It is ladies first here,
12 but you are allowed to yield to your husband.
13 Mr. Kennedy, you are recognized.

14 MR. KENNEDY: Mr. Chairman, members of the
15 Commission, thank you for this opportunity to
16 be heard. My name is Stetson Kennedy, I reside
17 at Beluthalatchee Park, 1523 State Road 13, in
18 Fruit Cove, Florida.

19 I am here this morning primarily to say a
20 few words in behalf of the sanctity of the
21 referendum as an institution of higher
22 democracy.

23 At age 94, you can imagine how many
24 redistrictings I have lived through here in the
25 state of Florida. It is something of a Florida

1 and American history book.

2 I have -- I am painfully aware of the
3 historic fact that the Democratic Party for not
4 only decades, but generations, a century even,
5 was able to use redistricting in addition to
6 the poll tax and the white primary as a means
7 of manipulating the vote and the outcome of the
8 vote in many of the southern states.

9 These things went hand in hand. The poll
10 tax affecting whites as well as blacks,
11 cumulative in many states. The white primary,
12 it was a common custom to simply change the
13 location of the voting booth on the night
14 before the election and tell only the white
15 folks where the new location would be.

16 So that I born and witnessed all manner of
17 things under the heading of redistricting.
18 When I think of the word my first thought is of
19 that great Republican, Abraham Lincoln, who
20 said all of the people, by the people, for the
21 people will not perish from the earth, and I,
22 standing here in the year 2011, and continue to
23 share that concern.

24 Back in those days, as I said, the poll
25 tax, white primary, white supremacy and white

1 rule and enforced racial segregation,
2 residential segregation all went hand in hand.
3 They were all cornerstones in a political
4 edifice. The KKK and the FBI were quite right
5 in regarding me and thousands of other
6 southerners, Americans, of being subversive of
7 that system.

8 We were just as subversive a white rule as
9 we could be, and I am proud of the fact and
10 proud and very happy that I have lived this
11 long to see as many changes as we have, even
12 including my hometown of Jacksonville which we
13 often said would be the last place on earth --

14 CHAIRMAN GAETZ: And Mr. Kennedy, I
15 apologize. We have a large number of people
16 signed up behind you to speak and even
17 Mr. Lincoln kept it to less than five minutes
18 at Gettysburg.

19 So we thank you very, very much for your
20 testimony, and Ms. Parks, you are recognized to
21 speak, and thank you, Mr. Kennedy.

22 MS. PARKS: I come forward -- I come
23 forward this morning to suggest two principles
24 for redrawing districts that are bold, that are
25 rare and that are difficult.

1 The first is that the demographics of the
2 people that you represent should be the primary
3 consideration in how the districts are drawn.

4 I am asking you to put principle above
5 both personality and party, to assure that as
6 much as possible the people of St. Johns County
7 are well represented.

8 We have, this county of a little under
9 200,000 people, we have three Senators and
10 three Representatives. This means that we the
11 people have a very difficult time knowing who
12 to go to when we have issues we care about or
13 measures that we need to have addressed.

14 I would recommend this morning that as
15 much as possible that St. Johns County remain
16 intact within any redistricting plan and that
17 we be coupled whenever possible with our
18 neighbors to the south in Flagler County
19 because our issues are very similar.

20 Julington creek and Pandra Vedra are not
21 south Jacksonville. These are families who
22 have invested heavily in their tax dollars to
23 produce the finest school system in the state
24 of Florida, and we expect our Representatives
25 to protect that investment.

1 We have more in common with our neighbors
2 to the south in Flagler County because we share
3 beach issues. We share large farming
4 communities that need to be represented
5 somewhere in the body of politic in
6 Tallahassee.

7 We represent -- we share growth issues.
8 Our concerns are different from Duval County.
9 If district lines have to be drawn for the
10 proper numbers, we urge you to move them south
11 into Volusia County, keeping as much as
12 possible the integrity of the farm issues that
13 so many of our families pull to be important.

14 The second principle that I ask you to
15 consider as you are drawing redistricts is to
16 be sure that these districts are compact enough
17 that we know you and you know us.

18 While Senator Thrasher and his staff are
19 as conscientious as anyone could be in trying
20 to know and be known by the people that they
21 represent, when his district stretches from
22 Georgia to Volusia County, along a narrow
23 stretch of land, it is very difficult for him
24 to know us and for us to know him, inform him
25 of our needs and hold him responsible for what

1 we in our county need.

2 So I ask you as you draw these districts
3 to please consider the primary criterion, not
4 party, not self, but the people that you serve.
5 Thank you.

6 CHAIRMAN GAETZ: Thank you very much,
7 Ms. Parks, we appreciate your testimony. Next
8 we will have, and I apologize for not giving
9 you a heads up, Edwin Dupont, Edwin Dupont
10 would be next, followed by Benetta Standly with
11 the American Civil Liberties Union.

12 Mr. Dupont, if you are here, we would be
13 delighted to hear from you, and you are
14 recognized before the Committee, and
15 Ms. Standly, if you would be on deck, please.

16 MR. DUPONT: Thank you very each, and I
17 would like to go, I would prefer to go by Ed,
18 if you don't mind.

19 CHAIRMAN GAETZ: Yes, sir.

20 MR. DUPONT: Again, I am Ed Dupont and I
21 am a life long resident of St. Johns County and
22 I now reside in Pandra Vedra Beach. I would
23 like to thank the Committee for the service you
24 are doing to the state and to us for taking
25 time, not to rush into these decisions and put

1 in the effort you are doing right now.

2 I know you are sitting through a lot of
3 hearings and I know it is pretty tedious
4 because you are hearing a lot of the same
5 ideas, but it is appreciated.

6 Last November, Amendment 5 was passed by
7 the majority of voters by actually a margin of
8 almost, well, actually over three to two.
9 Amendment 5 reads something like this.

10 "Congressional districts or districting
11 plans may not be drawn to favor or disfavor an
12 incumbent or political party. Districts shall
13 not be drawn to deny racial or language
14 minorities the equal opportunity to participate
15 in the political process and elect
16 representatives of their own choice."

17 "Districts must be contiguous, unless
18 otherwise required, districts must be compact,
19 as equal in population as feasible and where
20 feasible, must make use of existing city,
21 county and geographical boundaries."

22 I don't want to lecture here, but, because
23 you know this better than me, but contiguous
24 means all parts must be attached. It does not
25 mean, and it does not mean by artificial means.

1 It must, compactness is -- has to do with
2 shape, a reasonable shape. You know, you could
3 say you have your basic circle and square or
4 even a rectangle, triangle or an oval, if the
5 proportions are not too extreme.

6 Equal in population as feasible basically
7 means one person, one vote, as feasible, as
8 feasible, and, of course, feasible might be up
9 to interpretation, and that is where you folks
10 come in.

11 And one more thing I would like to say,
12 whatever you do, if you must, you must if at
13 all possible keep this out of the courts. They
14 could abridge the will of the voters and delays
15 will reap havoc upon the next upcoming
16 elections. Thank you for your time.

17 CHAIRMAN GAETZ: Thank you, Mr. Dupont,
18 thanks, Ed, an Ms. Standly, with the ACLU is
19 next, and following Ms. Standly, Robert Veit.

20 Ms. Standly, thank you for being here, it
21 is good to see you, you are sort of traveling
22 with us from place to place and we are
23 delighted to have you here today.

24 MS. STANDLY: Absolutely. It is my job to
25 hold you accountable and I am happy to do it.

1 So good morning, my name is Benetta
2 Standly. I am with the American Civil
3 Liberties Union and I want to welcome members
4 of the Florida Legislature to the nation's
5 oldest city.

6 I direct the northeast Florida office for
7 the ACLU, and as you know, I testified
8 yesterday in Jacksonville and I will testify in
9 any corner of my region to represent voters who
10 passed Amendments 5 and 6 who could not be
11 here, who are disenfranchised or simply don't
12 have the courage to speak up and share their
13 voice.

14 As I mentioned yesterday, I need to
15 correct some misinformation. People are
16 stating that Amendments 5 and 6 will harm the
17 Federal Voting Rights Act.

18 That is absolutely not true. Amendments 5
19 and 6 actually added minority voting rights
20 protections into the Florida Constitution for
21 the first time. It adds to the provision of
22 the Federal Voting Rights Act.

23 You guys know this already. What we need
24 from you is to tell us how many majority
25 minority districts exist in Florida, where they

1 are located and how your map which you are
2 responsible for drawing, not me, how your map
3 will protect them.

4 You all have a legal obligation to make
5 sure that the minority voters in Florida have
6 the opportunity to elect their candidates of
7 their choosing.

8 Secondly, the new rules of drawing these
9 legislative boundaries have been overwhelmingly
10 approved by nearly 63 percent of Floridians,
11 and it said that no political party would be
12 favored.

13 We need you to follow those rules.
14 Actually, I am disappointed that you guys have
15 continued to oppose and fight these new rules
16 by entering into or intervening into
17 litigation.

18 Third, the political party in charge has
19 been known to draw maps that will likely favor
20 themselves. That is absolutely problematic. I
21 hope that you guys don't do that.

22 The entire purpose of Amendments 5 and 6
23 were for voters to choose their politicians,
24 not the other way around. This is supposed to
25 be a fair and nonpartisan process. We didn't

1 want fake public hearings where you guys are
2 not giving us feedback, we are not producing
3 map. We don't want any insider back room
4 deals. We want this to be a fully transparent
5 and informative process.

6 The ACLU strongly advises you to please
7 stop spending taxpayer dollars on lawyers and
8 lawsuits. Just simply draw fair maps. If you
9 draw good and fair maps perhaps there will be
10 no further lawsuits.

11 Five, quite frankly, and we talked about
12 this yesterday. Where are the maps? It is
13 your job to draw the maps, not mine. You
14 cannot have a really meaningful public
15 discussion when you invite the public here and
16 you have nothing for us to comment upon.

17 You have had the census information for
18 several months now. You need to present a map
19 to us. People, as you know, people are trying
20 to run for office. They need to figure out
21 what district they are in.

22 They need to start campaigning. The
23 sooner we can get that done, the better for all
24 of us. Thank you so much.

25 CHAIRMAN GAETZ: Thank you. It is good to

1 see you again, Ms. Standly. Next is Robert
2 Veit and following Mr. Veit we will have Susan
3 Godby.

4 Mr. Veit, thank you for being here this
5 morning, and you are recognized.

6 MR. VEIT: Thank you very much, my name is
7 Bob Veit pronounced but that is okay.

8 CHAIRMAN GAETZ: Is it Veit, sir?

9 MR. VEIT: That is right.

10 CHAIRMAN GAETZ: I apologize for
11 mispronouncing your name.

12 MR. VEIT: No problem, everybody has done
13 it all my life.

14 CHAIRMAN GAETZ: You should see what they
15 do to mine.

16 MR. VEIT: Just as an aside, I happened to
17 be an elected state assemblyman in New Jersey
18 during the redistricting based upon the 1970.

19 CHAIRMAN GAETZ: Your seat is right up
20 there at the end, sir.

21 MR. VEIT: 1970 census, and we were
22 essentially given a map that was carved out by
23 the leadership and the Congressional
24 delegation. So I applaud you for what you are
25 doing and going and listening to the public for

1 what they have to say prior to drawing up a
2 map.

3 A map will be useful in the future, but at
4 this point I applaud for what you are doing.
5 And I guess my only concern -- excuse me. My
6 only concern in the -- what will be considered
7 is the implementation of the racial and
8 language minority protections.

9 And in reading the 14th Amendment which is
10 overriding our Constitution it -- it is moot on
11 how you draw your districts, except that it
12 requires equal protection under the law.

13 So when you are drawing your districts, if
14 you are protecting one group against another,
15 that -- the one that is not protected is
16 certainly not getting equal, equal protection.
17 So I ask you to consider that in your
18 deliberations. Thank you.

19 CHAIRMAN GAETZ: Thank you very, very much
20 for your testimony, sir. And next is Susan
21 Godby, and then following Ms. Godby is Gail
22 Wadsworth, the Flagler County Clerk.

23 Ms. Godby, you are recognized. Thank you
24 for coming this morning.

25 MS. GODBY: Thank you very much. I am

1 with the St. Augustine Tea Party, the Molasses
2 Junction Tea Party and the Putnam County Tea
3 Party and I am sorry, I forgot to put that on
4 there.

5 I have been in Florida for 18 years and I
6 live in St. Johns County. District 19, I am
7 just going to give some figures, District 19
8 and 20 must shrink. District 18 is slightly
9 over population, and District 21 is under
10 population.

11 What we would like to see is that District
12 21 come down to the St. Johns County line, then
13 go all of the way down to Flagler County.
14 There is a lot of interests in tourism and they
15 have a lot of things in common.

16 Then we like to see 19 to come below 295,
17 and in the St. Johns County, and then it also
18 crosses Julington Creek area, we would like to
19 see that backed up.

20 We have three boundaries which is the
21 Atlantic ocean, St. Johns River and then I-95.
22 So we would like to see those changes made.
23 The Mandrian and Julington Creek areas have a
24 lot of things that are in common and if you
25 would coordinate those areas, that way it does

1 need to shrink in that area. That is all I
2 have to say. Thank you.

3 CHAIRMAN GAETZ: Thank you, thank you,
4 Ms. Godby, very helpful testimony. And next is
5 Gail Wadsworth, the Flagler County Clerk, and
6 behind Ms. Wadsworth will be Henry Lange.

7 Ms. Wadsworth, thank you for your service
8 to the people of Flagler County and we are
9 delighted to have you here today.

10 MS. WADSWORTH: Thank you, and thank you
11 for coming today. What you are doing isn't
12 easy. For a little history's sake, I was born
13 in Florida. I am one of those rare people, I
14 am an eighth generation Floridian.

15 And years ago in 1965, I was a teenager
16 working for my dad in the House during that
17 crazy reapportionment period when small
18 counties lost their House members.

19 However, we gained an alliance with St.
20 Johns County, and we were well represented then
21 by Charlie Eucena and later Gus Craig, and not
22 so long ago, Doug Wilds and today, Dr. Proctor,
23 and today, John Thrasher, but before him there
24 was Senator Polk.

25 I knew all of those people, and I cherish

1 the knowledge of those people and the
2 similarities between Flagler County and St.
3 Johns County. I know Flagler County hasn't
4 grown enough even since the last census to have
5 its own, but walking around Flagler County and
6 talking to people, all I hear is, we want to be
7 together, and, of course, we want to have our
8 own.

9 We are not large enough yet. So like
10 Ms. Parks, I would love to hear you say you are
11 going to scoop Flagler County up, keep its
12 wonderful relationship with St. Johns County,
13 understand its demographics, its agriculture,
14 its silviculture and its beautiful beaches in
15 the Hammock where we do have some wealthy
16 people, keep us whole.

17 More importantly, we want to be kept
18 whole, and more importantly to me, I like our
19 history with St. Johns County and would like
20 for you to keep us there, and that is really
21 all I have to say. Thank you so much.

22 CHAIRMAN GAETZ: Thank you so much. We
23 appreciate your testimony. Henry Lange is
24 next, and then John Webber is on deck.

25 Mr. Lange, we are grateful you took time

1 to come here this morning, and you are
2 recognized.

3 MR. LANGE: Yes. Good morning, and thank
4 you very much, members of the Committee, for
5 having us here.

6 My name is Henry Lange and I live in St.
7 Augustine, been a resident for 12 years. Prior
8 to that I was an executive with an
9 international high tech company and of all
10 places, Orlando.

11 And I am representing four members of my
12 family because at this early hour on a working
13 day prevents them from taking the morning off
14 from work to represent them.

15 Further, please recognize that this venue
16 here at the college requires those of us who
17 are here to pay for parking, when if it was
18 held in the St. Augustine regular offices, free
19 parking would be available.

20 This is an additional unnecessary burden
21 placed on the citizens of St. Augustine. You
22 didn't do this in Jacksonville.

23 The citizens of Florida last year with an
24 overwhelming 62 to 63 percent vote, voted for
25 the election districts to be -- to be

1 redistricted in a fair, compact, unambiguous
2 and continuous manner.

3 If you will look at the map of District 7
4 it is appalling, it is the most screwed up
5 arrangement, ranges the southern end down in
6 Longwood and area ranging all of the way to the
7 northern part of St. Johns County, is 135 miles
8 long.

9 I have a map of this district. You also
10 have one, I realize in front of us here. This
11 is not what the citizens of the state of
12 Florida want in the future.

13 More of the same is probably shown
14 elsewhere in Florida. We have so much of this,
15 we have had too much of this and this election
16 last year stated why we want it changed.

17 The legislation has a mandate. Waiting
18 like they are does not indicate that there are
19 -- may indicate that there are back room
20 arrangements that have been made or in the
21 works in spite of what you have said.

22 What are we to take from the delays of
23 showing us maps? You already know what you
24 have in mind. We need these maps now to be
25 able to take advantage of where we will be

1 called upon. Some of us may have to change
2 districts. Some of us may want to run for
3 political office.

4 We need to know in advance what these maps
5 will be. The Legislature needs to provide all
6 of the citizens a date certain when these maps
7 will be available for us to examine.

8 Please act in a responsible manner,
9 provide us with these maps before the months
10 that you are required by law so that we can
11 ascertain what our position would be like and
12 how we will act in the future. Thank you very
13 much for your time.

14 CHAIRMAN GAETZ: Thank you so much, Mr.
15 Lange. Our next speaker is John Webber, Mr.
16 Webber, representing the St. Johns Democratic
17 Executive Committee.

18 MR. WEBBER: Well, I am not exactly
19 representing them. I have a membership with
20 them.

21 CHAIRMAN GAETZ: I am sorry, that is what
22 you had written down.

23 MR. WEBBER: Yes.

24 CHAIRMAN GAETZ: And following, excuse me,
25 Mr. Webber, following Mr. Webber will be Vicky

1 Oakes, so if you could be on deck, Ms. Oakes.

2 Mr. Webber, you are recognized. Thank you.

3 MR. WEBBER: Okay, I have lived in the St.
4 Augustine area since 1987, and I just mention
5 that, and I worked in all parts of St. Johns
6 County and I have also worked in Flagler County
7 at times.

8 The one recommendation I would make for
9 the State House is that one seat come out of
10 St. Johns County which has more than enough
11 people for a State House member, and if Flagler
12 County likes to be a part of St. Johns County
13 in with its population in the State House, then
14 I would have no problem with that.

15 We should be able to come up with one
16 House seat that has nothing but St. Johns
17 County residents in it.

18 Now, there are approximately three State
19 Senators, a ratio of three to two when you are
20 dealing with Congress. Now, you come very
21 close to the population for two members of
22 Congress when you combine Nassau, Duval, Clay
23 and St. Johns counties.

24 You might have to add a small population
25 like Baker or Putnam County to get the two

1 Congressional seats.

2 Now, that, you should be able to come up
3 with a minority responsive Congressional seat
4 out of that area in the second one, without
5 running afoul of any kind of minority denial or
6 rights or anything like that, and you should be
7 able to come up with three State Senators out
8 of that same area. Thank you.

9 CHAIRMAN GAETZ: Thank you very much, sir.
10 We appreciate your being here, and Ms. Oakes
11 represents the Supervisor of Elections Office
12 in St. Augustine, and following her is Chris,
13 and I believe it is Ranung, R-a-n-o-n-g, if I
14 understand it correctly, representing the AITSI
15 Local 477.

16 So Ms. Oakes, thank you for being here,
17 and we are delighted to have somebody from the
18 Supervisors' Office to give us good guidance
19 this morning.

20 MS. OAKES: Thank you, and good morning,
21 Ms. Haliburton, the Supervisor, sends you her
22 greetings and her regrets that she could not
23 make it to the meeting today.

24 However, I would like to speak on behalf
25 of our election officials. We are entrusted

1 with conducting fair and impartial elections,
2 our voters expect no less.

3 It is very important for us as election
4 officials that you stick to a specific timeline
5 with the redistricting process. If the
6 Legislature, the Attorney General, Supreme
7 Court, Justice Department, all complete your
8 work on schedule as election officials we have
9 less than two weeks to adjust the records of
10 11 million Florida voters before the first
11 absentee ballots are scheduled to go in the
12 mail.

13 You see, when your work ends, our work
14 begins. Time for us is critical. We need time
15 to efficiently and effectively prepare for the
16 elections in order to be ready for our
17 August 12th primary election.

18 We have to redraw precinct lines,
19 establish new polling places, gain approval
20 from our local Board of County Commissioners
21 and our own public hearings. We also have to
22 verify the information is correct.

23 As local election officials we not only
24 deal with Congressional, Senate and House
25 lines, we also deal with County Commission,

1 School Board, municipal, special districts and
2 community development district lines.

3 It is critical in the election process
4 that we have time to make sure our information
5 and all of these lines are perfect. There is
6 no room for error.

7 We also must notify all of our registered
8 voters in advance of their new district lines,
9 through new precinct lines and their new
10 polling places in order to have our voters
11 prepared and ready for the election.

12 As you know, candidate qualifying occurs
13 the first week of June. From then our
14 tabulation systems must be programmed. Our
15 ballots laid out, proofed, printed, and
16 absentee ballots prepared and ready to mail 45
17 days prior to the election.

18 The first absentees that are mailed go to
19 our military and overseas voters. It is
20 Federal and State law that they be mailed 45
21 days before the election. That date is
22 June 30th.

23 Let's not disappoint our absentee voters,
24 our military overseas voters who are fighting
25 for our freedom.

1 Secondly, please respect communities when
2 drawing your district lines. Compact districts
3 are the best, including the lines for the
4 counties. While there is much attention to
5 Florida's meandering districts right here in
6 St. Johns County, in the city of St. Augustine,
7 we have a perfect example.

8 The city of St. Augustine has 9,000
9 registered voters. They are currently divided
10 into two Senate and two House Districts. This
11 happens too much of the time. Communities need
12 to be kept intact.

13 This year working with your legislative
14 staff we have had unprecedented opportunities
15 to establish voting tabulation districts.
16 These keep communities together. They keep our
17 cities together and we request that you please
18 adhere to these lines whenever possible.

19 It is in the best interest of the voters,
20 and same neighborhoods that have things in
21 common, to have the same Representatives, have
22 the same candidates on their ballots and be
23 able to vote on the same issues.

24 We all know that 2012, will be a very busy
25 election year and it will be a challenging one.

1 I do believe we share a common goal of wanting
2 Florida to have not just successful but
3 outstanding elections as we know the world
4 would be watching.

5 Thank you for the opportunity to speak,
6 and for having these meetings.

7 CHAIRMAN GAETZ: Thank you very, very
8 much. Excellent advice, and now, I apologize,
9 Chris, how do you pronounce your last name?

10 MR. RANUNG: It is Chris Ranung, and thank
11 you, Senator.

12 CHAIRMAN GAETZ: Thank you very much,
13 representing Local 477, and we are glad you are
14 here, and you are recognized.

15 MR. RANUNG: Thank you very much. I hope
16 I am close enough to this. Can you hear me?
17 Thanks.

18 Yes, I live in St. Augustine. I am Chris
19 Ranung. Like everybody in this room, I deeply
20 care about and love Florida, and, yes, I am
21 from organized labor. We are somewhat of a
22 minority --

23 CHAIRMAN GAETZ: Sir, I apologize, so that
24 everyone can hear your testimony, could you
25 speak up just a little more?

1 MR. RANUNG: How is that?

2 CHAIRMAN GAETZ: That is great. Thank
3 you. Thank you.

4 MR. RANUNG: Okay, good. I am from
5 organized labor. We are a bit of a minority in
6 this state, but that is okay. Some of my
7 points of view may not jive with yours, but
8 that is okay. I have the freedom to speak with
9 you any time. I have exercised that freedom
10 and I appreciate that you are here and giving
11 us all an opportunity to speak.

12 I am very aware that I am standing in
13 front of a mostly Republican panel. I may
14 wonder why Democrats are a minority majority in
15 this state, but that is all part of why we are
16 here this morning.

17 I know some of you well enough to respect
18 you very much. I know some of you well enough
19 to be wary of you. I don't know some of you
20 yet, but I intend to.

21 Some of you know that I go to Tallahassee
22 quite a lot. I still trust the fact that
23 ultimately we work together for the common
24 good. So there is much I would like to say but
25 probably the most important thing is this.

1 Our country, or democracy is always and
2 only at its finest when diversity is allowed a
3 clear and strong voice. The diversity between
4 those of us who are wealthy and those who
5 struggle, the diversity of religion over race,
6 that of sex, gender, age, political opinion,
7 philosophy, on and on, all of this is our
8 country speaking, and we need to allow it to
9 speak.

10 Your redistricting must respect and
11 incorporate this diversity because it gives our
12 democracy its strength. So we the people are
13 trusting you to protect the voice of diversity.
14 That is your job.

15 The purpose of redistricting is not to
16 preserve a veto proof majority for the next ten
17 years. It is to let the people speak, and I am
18 confident going forward that we all share this
19 very fundamental goal. Thank you.

20 CHAIRMAN GAETZ: Thank you, sir, very good
21 testimony. Next is William O'Malley, and
22 behind Mr. O'Malley is, I believe it is
23 Patricia, and I apologize, ma'am, I am sure it
24 is my eyes. I think it is Patricia Gill,
25 representing the League of Women Voters, living

1 at 218 B Street here in St. Augustine. You are
2 on deck, but Mr. O'Malley, you are next.

3 We will give you all of the time you need,
4 sir. While Mr. O'Malley is coming to the
5 microphone I want to thank those who have been
6 respectful of those speakers behind them who
7 want to speak and have stuck to our three
8 minute time limit. That way all of the members
9 of the public will have a chance to share their
10 opinions.

11 Mr. O'Malley, we are grateful you took
12 time to come this morning and you are
13 recognized.

14 MR. O'MALLEY: Well, you didn't give me a
15 little warning. That is why it took me so
16 long. I live in north St. Johns County and in
17 looking at the population maps I see that there
18 is a possibility we may lose our Congressman.

19 I am going to echo a lot of the things
20 previous speakers have said. I, too, would
21 like to see a tentative redistricting map some
22 time ahead of time so that we could have some
23 more input as we are today.

24 I am also obviously in St. Johns County,
25 and I agree with the lady that said, St. Johns

1 County has a fine school system, health system,
2 we would like to keep it that way, and we hope
3 you will respect our county lines, et cetera,
4 and I want to thank you for your patience.

5 I have been watching the videos and you
6 folks show a lot of patience. Thank you.

7 CHAIRMAN GAETZ: Thank you very much, sir.
8 We appreciate it, and Ms. Patricia, I
9 apologize, it is my bad eyes, I am sure I
10 couldn't read your last name. Could you please
11 tell us your last name, ma'am?

12 MS. GILL: My name is Patricia Gill,
13 G-i-l-l.

14 CHAIRMAN GAETZ: Thank you, Ms. Gill,
15 representing the League of Women Voters and you
16 are recognized.

17 MS. GILL: Thank you. There are three
18 areas of concern to the public that I would
19 like to discuss today at these public hearings.

20 Redistricting timeline which has been
21 mentioned by a number of people and certainly
22 the concern by our Supervisor of Elections'
23 Office into doing something about this
24 timeline, which is just crazy.

25 Taxpayer money to oppose the Fair District

1 Amendments and the gag order for the
2 Legislature on these issues.

3 Last night I participated in the ceremony
4 swearing in two new police officers in St.
5 Augustine Beach. Part of the ceremony these
6 new officers swore allegiance to defend the
7 Constitution of the State of Florida.

8 That is what I am here today, is to ask
9 you to defend the Constitution of the State of
10 Florida and the will of the people, as
11 63 percent of the voters approved Amendment 5
12 and 6.

13 The two Amendments outline standards for
14 establishing Congressional District boundaries
15 after the census of 2010. The current timeline
16 established by the Legislature is calculated to
17 protect incumbents by delaying finalization the
18 Congressional and Legislative districts, until
19 almost time for the election, which is
20 June 8th, sorry, the qualifying, which is
21 June 8th.

22 Legislative session begins January, and
23 the decisions will not be made until March. It
24 is submitted that we could delay finalization
25 of the qualifying. This timeline does not

1 allow for the public to provide adequate input,
2 confines the public since people will, or
3 potential candidates to express their opinion
4 to the people and unfairly benefits incumbents.
5 We do see the amount of time for potential
6 challenges to have a campaign.

7 Despite the clear will of the Florida
8 voters who approved the Fair District
9 Amendments in 2010, the Legislature is using
10 taxpayer dollars to fight the new standards at
11 every stage.

12 The Florida Legislature has taken
13 extraordinary steps using taxpayer money to
14 avoid having to follow the Fair District rules.

15 It is a party to two suits to keep
16 measures off the ballot after spending more
17 than 1 million in legal fees to find fault with
18 the Fair District Amendments, both Houses
19 approved a competing amendment which was
20 ultimately thrown out by the courts as
21 misleading.

22 Now the House of Representatives is using
23 more money, money to sue the State of Florida,
24 to stop implementation of reforms. Florida
25 taxpayers are paying large sums for lawyers to

1 represent both the Plaintiff and the Defendant
2 in this particular lawsuit while we are having
3 trouble with schools and so many other issues
4 as far as costs are concerned in the state.

5 Finally, lift the gag order you have
6 placed on Legislators for the hearings. You
7 have indicated that Legislators should not make
8 public statements about redistricting, least
9 they betray and tend to engage in political
10 favoritism.

11 You have recently written to your members
12 forbidding them to speak at the upcoming
13 hearings. We are hopeful that such intent to
14 draw districts to favor incumbent or parties
15 does not exist.

16 However, in order to remain silent creates
17 an impression that there is some, something to
18 hide. We urge you to reconsider the gag order
19 and encourage the productive give and take at
20 each of the hearings. This will give voter
21 confidence that the representation intended to
22 fully comply with the new redistricting
23 standards.

24 And I am asking you, please, to move that
25 timeline up so that we can get our election

1 moving, and there is no reason you can't do
2 that.

3 Now, you did say this morning in your
4 introduction that you can't do anything for two
5 years after the -- after the redistricting, but
6 you can do, you can do potential maps and we
7 need those maps right now, at least potential
8 maps and you have had a number of suggestions
9 at your hearings. Thank you very much.

10 CHAIRMAN GAETZ: Thank you very much,
11 Ms. Gill. Ms. Gill, it is possible that you
12 weren't here at the very beginning or maybe you
13 were, but I don't know if you have had a chance
14 to observe the web casts of the other hearings.

15 I am not sure where the gag order came
16 from, but I don't think you could keep all of
17 these people quiet. At every single hearing
18 from the very beginning in Tallahassee, until
19 the hearing yesterday, we have had members
20 speak.

21 What we are trying to do though is to make
22 sure that everybody in the public has a chance
23 to speak first, and then we give members a
24 chance to speak.

25 So thanks a lot for your comments and the

1 Speaker Designate will -- is also taking notes
2 so that we can respond to a couple of the
3 factual issues that have been raised today, not
4 to be argumentative with anybody.

5 Everybody is entitled to their opinion,
6 but everybody is not entitled to their own set
7 of facts, and the Speaker Designate will remark
8 to that at the end of the hearing, if there is
9 time, giving everybody a chance to speak.

10 Next we will hear from Mary Lou Woods and
11 follow is Ms. Woods, from Gina Burrell.

12 Ms. Woods, if you are here, we would love
13 to hear from you this morning. And Ms. Burrell
14 would be next, and following Ms. Burrell will
15 be Denise Caldewood, I believe, Denise
16 Caldewood, who also represents the League of
17 Women Voters.

18 Ms. Woods, thank you for being here. You
19 are recognized.

20 MS. WOODS: Thank you. My name is Mary
21 Lou Woods and I live in the same community as
22 that of John Thrasher, so we are on the same
23 page.

24 Right now it seems like the system is so
25 flawed. Instead of the voters choosing the

1 politicians, the politicians are literally
2 choosing the voters.

3 This is done by pre-determinating
4 districts whether it represents Republicans or
5 Democrats, so that they can get who they want
6 to vote for them.

7 Now, for example, Corrine Brown and John
8 Mica, one is a democrat, one is a Republican.
9 Corrine Brown lives in Jacksonville, yet she
10 represents all of the way down there in a part
11 of Orlando.

12 How are we supposed to know who is
13 representing us? And then you have John Mica
14 who drives over 100 miles every day to get to
15 his office in St. Augustine. This is not fair
16 representation.

17 We are trying to fix things here. More
18 than three million people in this state voted
19 to end gerrymandering last year and we
20 supported the Fair District Amendments to the
21 Constitution. That is more than 60 percent of
22 the voters demand that the future districts be
23 drawn upon compact geographical sense rather
24 than party affiliation.

25 It would be a very good day for democracy

1 when all is done fairly. However, I doubt very
2 seriously that Corrine Brown or Dean Cannon
3 will ever want that day to pass, because both
4 of them benefit from gerrymandering, and they
5 are trying to -- well, the Fair Districting
6 votes then in a falling outrageous thing our
7 Speaker Dean Cannon has decided the State
8 Legislature should join the lawsuit and spend
9 our money trying to overturn the vote that we
10 just passed.

11 This is still America, right? Think about
12 the park for a moment. If a dictator or
13 someone, some other third world leader spent
14 the public's money trying to overturn its own
15 vote, we as Americans would be appalled, but
16 yet business as usual in the state of Florida.

17 What I am asking seriously is I come from
18 New York, I have lived in Florida for several
19 years now. Let's be fair. Let's make it
20 compact so that we can all work together for a
21 better Florida. Thank you.

22 CHAIRMAN GAETZ: Thank you, Ms. Woods,
23 very helpful. Ms. Burrell, you are next, and
24 following Ms. Burrell will be Denise, I believe
25 it is Caldewood, with the League of Women

1 Voters.

2 Ms. Burrell, thank you so much for being
3 here, you are recognized.

4 MS. BURRELL: Thank you for being here.
5 My name is Gina Burrell, I live in the city of
6 St. Augustine. I have been here in the city
7 for 17 years and the state of Florida for 47.

8 When a group of us were asking St. Johns
9 voters to sign our petitions in support of
10 Amendments 5 and 6 redistricting, we had
11 Republicans and Democrats do so. We got a few
12 hundred petitions signed. They considered it a
13 fairness issue.

14 Neither political party should be in
15 complete control. In November 2010, Amendments
16 5 and 6 passed overwhelmingly with 63 percent
17 of the vote statewide.

18 Now in the Florida Constitution these
19 amendments prohibit political favoritism,
20 requires that districts be compact, continuous
21 and follow city or county lines where feasible.
22 Amendments 5 and 6 will stop the gerrymandering
23 and the splitting up of a city.

24 For example, here in St. Augustine Senate
25 District 8, Precinct 507, which has many black

1 voters is removed from District 8.

2 Florida House District 18 comes into St.
3 Augustine to May Street, Florida House District
4 20 continues from May Street south to the rest
5 of St. Augustine. This breaks up Precinct 503
6 and is confusing for voters.

7 On May 31st, 2011, U.S. Justice
8 Department, the civil rights section voting
9 rights, approved these two amendments for
10 preclearance stating they don't discriminate
11 against minorities.

12 Why does it have to take the Florida
13 Legislature so long to get redistricting done?
14 Many other states, including Alabama, Arkansas,
15 Colorado, Illinois, Indiana, Iowa, Louisiana,
16 Minnesota, Missouri, Nebraska, Nevada,
17 Oklahoma, have already completed or almost
18 completed their redistricting.

19 We hope this will get done as much faster
20 than you have said it. Thanks a lot.

21 CHAIRMAN GAETZ: Thank you so much. And
22 Ms. Burrell, you have raised a good question
23 which the Speaker Designate will remark to at
24 the end, and that is why Florida is later than
25 some other states in redistricting. Excellent

1 question.

2 Denise, is it Caldewood or Caldewell?

3 MS. CALDEWOOD: How about Caldewood.

4 CHAIRMAN GAETZ: Caldewood, and after
5 Ms. Caldewood, who represents the League of
6 Women Voters, we will have Annette Ackerman, if
7 you could be on deck.

8 Ms. Caldewood, thanks for taking time to
9 come today, and you are recognized.

10 MS. CALDEWOOD: Thank you very much, I
11 appreciate it. And it is the Flagler County
12 League of Women Voters.

13 CHAIRMAN GAETZ: And, ma'am, I apologize,
14 so that we can all hear your testimony, could
15 you speak directly into the microphone, maybe
16 someone could help you there to make sure you
17 got the mike right by your face.

18 MS. CALDEWOOD: Okay, thank you very much,
19 how about now?

20 CHAIRMAN GAETZ: Thank you, much better.

21 MS. CALDEWOOD: Okay, perfect. And it is
22 important to say that it is Flagler County and
23 I agree with the previous speaker. The
24 Legislature's timeline for drawing districts
25 has been unfair to Florida voters.

1 The Legislature plans to pass out the
2 district maps at the end of the 2012 session on
3 March 9th, expectedly, which means Florida maps
4 will be approved later than most every other
5 state in the nation.

6 That only gives us three months after that
7 to actually examine it and look at it, so that
8 becomes a question, and according to that
9 timeline the maps will not be finalized and
10 approved before qualifying closes on June 8th,
11 and that may not be finalized until even after
12 August, if everything goes well as planned
13 issues and that is, you know, a very short
14 timeline.

15 The House's own redistricting attorney,
16 Miguel De Grandy, has predicted that this
17 timeline will cause massive voter confusion.
18 Challengers or new candidates will have little
19 if any time to mount campaigns and voters will
20 be voting for candidates they have little
21 opportunity to get to know.

22 So why won't the Legislature prepare the
23 maps earlier, debate them in the fall, and pass
24 them the first week of the session, doubling
25 the time for the litigation and preclearance,

1 and it gives the appearance that the late maps
2 may help incumbents, you know, and this can be
3 construed as an incumbent protection plan, and
4 that is concerning.

5 The Florida Legislature should also not be
6 spending taxpayer money to oppose fair
7 districts. Currently the Legislature has spent
8 over \$1 million of taxpayer money hiring
9 lawyers to fight fair districts.

10 It helped -- it fought the approval of the
11 Amendments for the ballot in 2008, which the
12 Supreme Court ruled for fair districts anyway.
13 It held more than 30 hours of committee
14 meetings in 2009 and '10, to try to find fault
15 with the Amendments, and they tried to take a
16 second attempt at fixing the issue, arguing in
17 court that the Amendments should be stricken
18 from the ballot.

19 The Supreme Court also rejected that
20 argument. And it has tried to confuse voters
21 by placing Amendment 7 on the ballot with
22 misleading language and the Supreme Court
23 struck Amendment 7 from the ballot.

24 It even Representatives of the district
25 have sued the state, itself, and the

1 Legislature is using taxpayer money to attack
2 and invalidate a provision of our State
3 Constitution that was supported by 63 percent
4 of the voters. So it appears that the
5 Legislatures aren't even listening to Florida
6 voters.

7 It appears that the politicians feel free
8 to spend outrageous sums to protect their seats
9 while leaving the people of Florida
10 unprotected. We feel that the Legislature
11 should be working to uphold the Constitution,
12 not spending our money to protect their own
13 interest at the expense of the provision placed
14 there by almost two-thirds of the electorate
15 last November.

16 And then the other question is, where are
17 the maps? Other states have had hearings so
18 far in order to allow citizens the opportunity
19 to comment on the maps and we haven't seen
20 them, you know, so the comment, is where is the
21 beef, where is the maps?

22 Have Legislatures drawn the maps yet, and,
23 if so, why are they not showing them to us.
24 When will they show them to us, and if the maps
25 haven't been drawn yet, why not. We have GIS

1 systems that can produce them very easily
2 without input and without paying for
3 consultants, you know, so, you know, these
4 sessions are important, it is great to be
5 listened to, everybody wants to be listened to,
6 but they are just that.

7 It gives you the opportunity to listen to
8 us, but we need the time to actually, you know,
9 propose good input on the maps with good
10 information, and you can use Palm Coast as an
11 example.

12 They just went through their own city
13 redistricting and they actually, you know,
14 redistricted a candidate who was actually
15 already approved by the, you know, the -- yes,
16 was approved to run and they actually voted him
17 out of the process, the redistricting process
18 and he threatened a lawsuit to actually put
19 himself back on.

20 So that is an example of how this can
21 happen for the future. So please don't let
22 that happen to this state. Thank you very
23 much.

24 CHAIRMAN GAETZ: Thank you very much,
25 Ms. Caldewood, and you as well have raised some

1 interesting factual points which the Speaker
2 Designate and other members of the Committee
3 may wish to respond to after we hear from all
4 members of the public.

5 After Annette Akerman, our next speaker is
6 Robert Zeis who is with the AARP. Ms. Akerman,
7 thank you for coming this morning, and you are
8 recognized.

9 MR. AKERMAN: Thank you very much. I
10 really don't represent anyone. I do have to
11 say that my grandfather fought all through the
12 American Revolution and in two major battles in
13 New York, and I speak from the heart as a
14 concerned citizen.

15 What I have seen lately has been a
16 tremendous shift in the use and the definite
17 misuse of our Constitution. My biggest concern
18 here is what a serious overreach of
19 redistricting can mean to the freedoms that we
20 enjoy because there is a lot to be considered
21 here.

22 It cannot and must not be allowed through
23 any political ploys to fall into further decay
24 via special interests or subverting agendas.

25 Gentlemen, you have a job to do, ladies

1 and gentlemen, excuse me, you have a job to do
2 and I hope you take it seriously to heart.

3 Please use the truths that have been set
4 forth in the Constitution to make redistricting
5 fair and representative of each and every one
6 of us. That is your sworn commitment and we
7 will appreciate your upholding that. Thank you
8 very much.

9 CHAIRMAN GAETZ: Thank you, Ms. Akerman,
10 excellent guidance for all of us. Robert Zeis,
11 representing the AARP. Good to see you again,
12 and the next, Pam Linder, I believe it is,
13 would be on deck.

14 Mr. Zeis, you are recognized.

15 MR. ZEIS: Thank you, Mr. Chairman, I wish
16 to thank you and the entire Committee for
17 allowing so many people to come forward and
18 give their opinion.

19 AARP, of course, represents nearly four
20 million voters in the state of Florida.

21 CHAIRMAN GAETZ: And could you speak a
22 little closer into the mike so that we can
23 catch every word?

24 MR. ZEIS: I can do that and I can tell
25 that is much better, thank you, sir.

1 CHAIRMAN GAETZ: Thank you.

2 MR. ZEIS: Our concerns are much more
3 theoretical. We really believe that the
4 Committee needs to perform this redistricting
5 in a very timely manner, stay with the
6 constitutional requirements of contiguousness
7 and truly avoid any appearance of conflict of
8 interest.

9 It is most important that our local
10 communities and neighborhoods stay intact,
11 having subdivisions and smaller, small
12 neighborhoods even within cities to have
13 deferring representation literally across the
14 street is something that has to be avoided.

15 I think that you are all doing a job that,
16 as I understand, is actually quite unusual with
17 the rest of the states. Very few states are
18 having the opportunity for public access and
19 information, and I encourage everyone to
20 partake of the websites that are available and
21 they can really glean maybe a better handle on
22 how the redistricting process takes hold, and
23 input their own ideas. And I thank you very
24 much.

25 CHAIRMAN GAETZ: Thank you, sir, thank you

1 very much for your testimony. Pam Linder is
2 next, and following Ms. Linder, Connie White,
3 if you would be on deck.

4 Ms. Linder, thank you for coming this
5 morning, and you are recognized before the
6 Committee.

7 MS. LINDER: Thank you. I was hoping all
8 of my questions would be asked so that I
9 wouldn't have to talk, but I am here, because
10 four of my questions have not been answered.

11 I didn't quite understand at the
12 beginning. Would ya'll just raise your hand if
13 you represent more than three counties? Just a
14 quick raise of hands, one, two, three, four,
15 five, six, seven. Seven, okay.

16 And I also was wondering, how many people
17 were in the Legislature, legislation when the
18 2002 redistricting happened? Could you all
19 just raise your hands if anybody was there?
20 One, two, three -- three, okay, and I was also
21 wondering, how many of ya'll would actually be
22 opposed to working between now and January, so
23 that we could have preliminary maps ready in
24 January when the sessions started? Is anybody
25 opposed to doing that?

1 CHAIRMAN GAETZ: Well, I will tell you
2 what. We will ask the Speaker Designate to
3 respond to that in terms of the legal
4 requirements, as well as what the process and
5 schedule are. I think you will be placed with
6 the answer, at least I hope you will, but
7 please continue your testimony.

8 MS. LINDER: Okay, and I wondered, how
9 many people voted to oppose Amendment 5 and 6
10 and actually asked that money be spent?

11 CHAIRMAN GAETZ: Now, we don't, ma'am,
12 ma'am, ma'am, in the United States of America,
13 we don't ask people how they voted in a secret
14 ballot.

15 So you are welcome to talk to people
16 individually, but we are not going to anybody
17 on the spot today about how they voted in the
18 secret ballot. This is still America. Please
19 continue with your testimony.

20 MS. LINDER: Okay, and I was wondering if
21 anybody would consider suing the state if their
22 redistrict changed?

23 CHAIRMAN GAETZ: Again, ma'am, you know,
24 there are people in this audience who may have
25 a cause of action, special interest groups who

1 are here who followed us from hearing to
2 hearing who may file lawsuits.

3 We are not going to put them on the spot.
4 They have the right to file a suit. Your right
5 to access to the courts is guaranteed by the
6 Constitution. We are not going to put them on
7 the spot today or anybody else. Any other
8 testimony?

9 MS. LINDER: Yes, I did just want to say
10 that as a woman and a mother and a healthcare
11 provider and an educator, I am disenfranchised
12 in my district.

13 CHAIRMAN GAETZ: Thank you very much for
14 your testimony. Next we have Susan McCool.

15 MS. WHITE: Corrine White.

16 CHAIRMAN GAETZ: Connie White, I am
17 jumping ahead. Connie White and then Susan
18 McCool.

19 MS. WHITE: Corrine White.

20 CHAIRMAN GAETZ: Ms. White, thank you for
21 being here today and we are delighted to have
22 your testimony.

23 MS. WHITE: Thank you very much for the
24 opportunity, and thank you all for being here.

25 CHAIRMAN GAETZ: And could you speak

1 directly into the mike so we can all hear you?

2 MS. WHITE: Yes, sir.

3 CHAIRMAN GAETZ: I am sorry that the
4 acoustics here require you to do that.

5 MS. WHITE: Is this better? Is that
6 better?

7 CHAIRMAN GAETZ: Much better, thanks a
8 lot.

9 MS. WHITE: Okay. Thank you. I would ask
10 that you consider after the maps are submitted
11 and you have gotten all of the testimony from
12 across the state, that you turn over the
13 process of re, actually redrawing the
14 Congressional Districts to an independent
15 nonpartisan commission, because we have four
16 criteria that have been articulated here which
17 are population equality, contiguity, unity of
18 counties and cities and compactness.

19 And we have a goal of districts being
20 represented by a member of their own community
21 who are familiar with their concerns, which as
22 we all know, which is why the Constitution
23 requires that Senators and Representatives be
24 inhabitants of the state that elect them.

25 So attempts to lock out, to lock in party

1 advantage sacrifices the important
2 Constitutional guarantee that a Legislator
3 serve as the voice of the community.

4 As you probably well know, 13 states so
5 far have established nonpartisan redistricting
6 commissions, and two additional states have
7 created advisory commissions.

8 While the systems vary, some commissions
9 actually propose the plans the Legislators must
10 approve, others strip the Legislators from
11 redistricting authority. Each of these states
12 recognize that partisan drawing of
13 Congressional District boundaries has hurt the
14 democratic process, leaving elected officials
15 dependent and beholding to the party bosses who
16 draw them.

17 So I ask you, please, to consider turning
18 over after you have done your marvelous work,
19 turning over the redistricting process in
20 Florida to an independent nonpartisan
21 commission. Thank you very much.

22 CHAIRMAN GAETZ: Thank you very much. And
23 that as well will be a -- that as well -- stay
24 calm, ma'am. That as well will be, will be a
25 question that we will ask the Speaker Designate

1 to take up.

2 Now we are delighted to have Susan McCool,
3 who is the Supervisor of Elections in Palatka
4 with us. Thank you for your service to the
5 people of that community, and you are
6 recognized.

7 MS. MCCOOL: Thank you very much, and that
8 is Putnam county, not just Palatka.

9 CHAIRMAN GAETZ: That is right, it is the
10 whole county.

11 MS. MCCOOL: I am Susan McCool, Supervisor
12 of Elections of Putnam county. I just want to
13 thank you for allowing the State Supervisor of
14 Elections to have a more, be more involved this
15 year in the process of redistricting by
16 allowing us to show you our voting tabulation
17 districts.

18 Remember the economic factor when
19 splitting and dividing counties and
20 municipalities. That hasn't been brought up
21 yet. And by the way, St. Johns County did a
22 wonderful job in the presentation and you are
23 going to hear this throughout the state. The
24 rest of the sessions that you have.

25 We all have the same agenda, as you well

1 know. We are concerned about the time frame
2 and about the splitting. So if you remember
3 the economic factor in that, because one thing,
4 it involves the more splits we have, the more
5 precincts are involved, the more ballot styles
6 we have.

7 The more ballot styles we have the more it
8 costs, and this -- the way that paper is now,
9 of course, you know, the state is a paper
10 ballot. We destroy many, many ballots, paper
11 ballots a year for those people who do not
12 vote.

13 And so the less ballot styles, the less
14 paper that we have to destroy. Well, if I let
15 go of it, I can't turn the page.

16 CHAIRMAN GAETZ: You are doing fine.

17 MS. MCCOOL: Okay. Just remember that
18 less is better. It has already been brought up
19 about the time frame. We want to make sure
20 that you definitely remember that, because in
21 the redistricting process it takes several
22 months to train our poll workers, move voters,
23 print the cards to give to the electors,
24 process the change, mail out the cards,
25 securing polling locations, which securing

1 polling locations you may think it doesn't
2 take, you know, just call them and say, okay, I
3 have got an election, but there is a lot of
4 things on the polling places calendars that
5 have to be cleared, so we have to remember that
6 also.

7 We have to type, proof and then print the
8 ballots, and that does take quite a bit of
9 time, so remember the time frame, and thank you
10 very much, appreciate it.

11 CHAIRMAN GAETZ: Thank you very much,
12 Ms. McCool, for being here today. Excellent
13 information.

14 Next we have Rebecca Johnston representing
15 the Young Democrats of St. Johns, and following
16 Ms. Johnston, Richard Hebert.

17 So Ms. Johnston, if you are here, we are
18 delighted to have your testimony this morning.
19 Thank you for coming.

20 MS. JOHNSTON: Hello, I am Rebecca
21 Johnston, and I am the President of the St.
22 Johns Young Democrats.

23 First of all, I am not attempting to do
24 your job but offer suggestions. I understand
25 you have a very difficult task as you consider

1 the 2010 census data that shows many districts
2 with increased population.

3 In St. Johns County, two of our three
4 State House Representatives live in
5 Jacksonville. The citizens in St. Johns County
6 feel like they are not being represented
7 sufficiently.

8 District 19, for instance, includes part
9 of northeast Clay, southwest Jaxs and northwest
10 St. Johns County, and currently it is 12.9
11 percent over the desired population for the
12 district.

13 All of St. Johns County districts are
14 currently over the population desired, and
15 districts north of us and west of us are under
16 the desired population.

17 District 20 is over 28.9 percent, and it
18 encompasses the majority of Flagler, St. Johns
19 and it continues into Clay County. Next to it
20 is District 21 of Putnam County and it is under
21 by 7.49 percent. Please consider pushing their
22 line east and north into the current District
23 20.

24 We currently do not appreciate our tax
25 dollars being used to conduct hearings where

1 we, the people are not receiving any
2 information from you, our Representatives, or
3 seeing any proposed plans for us to give input
4 on.

5 If this, if Amendments 5 and 6 are not
6 followed properly, there will most likely be
7 some challenges which will be time consuming
8 and costly.

9 This will also result in delay in the
10 redistricting and it will hinder citizens who
11 wish to file as a candidate for the 2012
12 election, because they will not know their
13 district.

14 Incumbents will be given an advantage over
15 their opponents, because campaign and
16 fundraising time will be constrained. We
17 understand that some districts may need to be
18 drawn cross counties.

19 We ask that when you do, you do not draw
20 the lines to cut in and out of a county where a
21 particular political party is favored. We ask
22 that you draw lines to encompass an area
23 containing people with similar interests, way
24 of life, job market, infrastructure and
25 monetary.

1 By doing these things and following your
2 legal obligation to the voters, it not only
3 benefits the people, but the elected
4 Representatives. They will be able to better
5 represent their constituents to a one person,
6 one vote standard.

7 America is about fairness and equality.
8 We the voters need to see that in Florida.
9 Thank you very much.

10 CHAIRMAN GAETZ: Thank you, Ms. Johnston,
11 we really appreciate you being here. Richard
12 Hebert is next, and following Mr. Hebert,
13 Annette Cappella, if you would be on deck,
14 please.

15 Mr. Hebert, thank you for taking time to
16 be with us this morning, and you are
17 recognized.

18 MR. HEBERT: Thank you, sir, I pronounce
19 it Hebert.

20 CHAIRMAN GAETZ: I am sorry, sir? Hebert.

21 MR. HEBERT: Hebert, thank you.

22 CHAIRMAN GAETZ: I apologize to you. I am
23 sorry for mispronouncing your name.

24 MR. HEBERT: That is okay, at least you
25 didn't say Herbert.

1 CHAIRMAN GAETZ: You are recognized.

2 Thanks from coming.

3 MR. HEBERT: You have heard a lot of anger
4 out here and you shouldn't be surprised at it,
5 considering the history of Amendments 5 and 6.
6 I second everything that you have been hearing.

7 I don't want it reiterate detail by
8 detail, but just remember that we have gone
9 through two years of collecting 1.7 million
10 signatures to put those two Amendments on the
11 ballot, and we faced nothing but obstruction
12 from the State Legislature, from lawsuits to
13 the Governor's refusal to submit it for
14 approval to the Department of Justice.

15 We had to go to court to enforce that.
16 The citizens are upset, and I think
17 understandably so. You just look at some of
18 these snake like districts that curl and carve
19 all the way around the state of Florida, it is
20 a sham, and without getting into more detail,
21 you have set aside, as I understand it, \$30
22 million to fight redistricting related
23 lawsuits.

24 Half of that is supposed to go to this
25 lawsuit that you have joined in with Corrine

1 Brown to basically again try to nullify. I
2 mean, how many times does the Supreme Court
3 have to tell you you don't have a case, but
4 they keep going back to court to fight the
5 voters, using taxpayers, using our money to pay
6 to sue ourselves and then to defend ourselves
7 against our own lawsuit.

8 And I think the voters have finally seen
9 through this sham and I beg you, please, do the
10 right thing, stop postponing the day of
11 reckoning.

12 It is time now, draw the districts, these
13 hearings are a waste of our own money and our
14 time. Thank you.

15 CHAIRMAN GAETZ: Thank you, thank you for
16 coming in any case. Next, Annette Cappella,
17 you are recognized, and following Ms. Cappella,
18 Nell Toensmann, I believe it is, and I want to
19 just indicate that we do have a number of other
20 speakers who would like to be heard.

21 So all of us and especially the people
22 behind you are grateful for your respect of the
23 three minute rule. Ms. Cappella, you are
24 recognized. Thanks for being here.

25 MS. CAPPELLA: Thank you, thank you for

1 having me here. I also thank you for
2 listening. I hope you are hearing as well. So
3 many good things were said today and I don't
4 want to re-echo or reiterate much of it which I
5 have in my notes.

6 However, I am a U. S. citizen. I love
7 this country and I love Florida. I adopted, I
8 adopted it in 1978, and have watched some
9 things happen that I am very concerned about.

10 One of the things now is we have an
11 Amendment 5 and 6 that has been passed in the
12 past 2010 election by 63 percent of the voters,
13 and as Richard Hebert just said, you are
14 fighting it. Why?

15 We have a problem with economics in this
16 state and in this country yet you chose to
17 spend over a million dollars to fight it, of
18 our money.

19 Also, you also have set aside about \$30
20 million to keep fighting it. Why? These are
21 questions I have. I hope you are able to
22 answer them.

23 I also want to know why close to a dozen
24 states have already mapped out what their plans
25 are for redistricting. I know Florida is a

1 large state, and now I know it is crucial to
2 the upcoming election, and we do have one party
3 in power.

4 Does that mean you want absolute control?
5 That is another question I have. We have major
6 problems in this country, and it is time we
7 looked at the U.S. Constitution and followed
8 it, and as you as citizens and as patriots, we
9 should be able to follow it and not try to buck
10 it, and I am afraid that is what has been
11 happening.

12 I want St. Johns County to be contiguous.
13 You heard the Supervisor of Elections and the
14 problems she has. I work very closely many
15 times with them on elections and I see the
16 problems and the confusion with the voters.

17 What you are doing right now by postponing
18 maps and getting them to the public is going to
19 confuse not only the voters, but also the rest
20 of the world.

21 What is Florida about? We are known for
22 our, in fact, we are notorious for the kinds of
23 elections we have held in the past. Are we
24 going to continue to do that? Come on now.
25 You represent us.

1 Do your job, please. Make Florida and
2 make St. Johns County proud of you. Keep us in
3 our diverse contiguous place, not with three
4 Senators who represent four or five or six or
5 seven districts from Nassau County all of the
6 way to Volusia, or three representatives who
7 represent three, four, different districts and
8 counties. I mean, these poor men are confused.

9 They don't even know who they are
10 representing, because they don't even have a
11 handle on who we are. St. Johns and Flagler do
12 have much in common, and I agree.

13 Look at that map. Put us together. We
14 make good buddies and good brothers, thank you.

15 CHAIRMAN GAETZ: Thank you, Ms. Cappella,
16 and Ms. Cappella, I hope you can stay until the
17 end of the hearing because I think some of the
18 points that you raised probably will be
19 remarked to.

20 MS. CAPPELLA: Thank you.

21 CHAIRMAN GAETZ: Our next speaker will be
22 Nell Toensmann, I believe, or Toensmann, and
23 following Nell will be Randy Covington, and I
24 apologize if I mispronounced your name. Could
25 you pronounce it for the record?

1 MR. TOENSMANN: Toensmann.

2 CHAIRMAN GAETZ: Thank you very much.

3 MR. TOENSMANN: It is a German name and I
4 have a German husband.

5 CHAIRMAN GAETZ: Thank you.

6 MR. TOENSMANN: I grew up in St.
7 Augustine, Florida, at a time when Berl Polk
8 was Senator and we could often find him sitting
9 on a park bench in the plaza.

10 He talked to the people he represented,
11 and he represented us very well. Since then I
12 have spent 32 years in Europe with a German
13 husband whom I brought over here about seven
14 years ago, and I have looked back at Florida
15 and I have looked back at the United States
16 sometimes in utter amazement at the kind of
17 things we do and how they reflect on the rest
18 of the world.

19 Florida is very well known not only around
20 the United States, but it is also known in
21 Europe, and I was over there in the 2000
22 election when the German American Club had a
23 party to celebrate the election of a new
24 President, which went on for a few months.

25 The party actually ended some time in the

1 wee hours of the morning, however, and it is
2 kind of -- it is the kind of thing that when
3 things are being done that are not well thought
4 out and for all of the people, it is not only
5 the people of the state of Florida that are
6 watching, it is the people outside of the
7 state.

8 They are looking at us from all around the
9 United States, but they are also looking at us
10 from Germany and France and Spain, and believe
11 me, their international news is a lot better
12 than our international news which is almost non
13 existent.

14 They know what is going on. They knew
15 everything about the whole election process in
16 2000, and this is why you guys and gals, men
17 and women have to do something right this time
18 around.

19 You have to do it soon, you have to do it
20 contiguously so that we have proper
21 representation, and believe me, when we have
22 three Senators that we almost never see and we
23 have three House members, one of which does
24 live in St. Augustine, but none of them really
25 properly represent us in St. Johns County.

1 We want it to be compact. We do not want
2 to have precincts that are divided among two
3 House seats or two Senate seats. We do not
4 want to have the Supervisor of Elections people
5 have to do an incredible amount of work to
6 divide and subdivide and re-subdivide and try
7 to get precincts contiguous with the House
8 seats or the Senate seats, et cetera.

9 It is not an easy process I know for you,
10 but the sooner you get it done the sooner our
11 Supervisor of Elections can get to work. The
12 sooner the people who want to run for office
13 will know what district they can run in, the
14 better it will be for all of the people in the
15 state of Florida. Thank you.

16 CHAIRMAN GAETZ: Thank you so much for
17 your testimony. Next is Randy Covington, and
18 following Randy Covington will be Julie
19 Penrod-Glenn. So Ms. Penrod-Glenn, if you
20 would be on deck.

21 Mr. Covington, thank you so much for being
22 here, and you are recognized before the
23 Committee.

24 MR. COVINGTON: Thank you, and I want to
25 thank the Committee first of all, all of you

1 for your service in this recent session. I
2 know you did struggle with a great many of the
3 things and at the end of the day you did the
4 best job that we could expect. We appreciate
5 your service. Thank you.

6 Secondly, it is really interesting to me,
7 I have heard a lot of people speak of
8 diversity. It seems they were all reading it
9 from the same piece of paper.

10 I will tell you for certainty I have to
11 take strong exception to this. I don't care
12 one wit what Spain and England and France care
13 about our electoral process. It is our
14 Constitution. The process belongs to us, not
15 to them.

16 Secondly, I heard a lot of talk yesterday
17 about concentric circles and geometry. I think
18 that would actually be rather fun if you
19 produced those maps so you could watch people's
20 heads explode seeing what they suggested.

21 And lastly, I would just say this, at the
22 end of the day the fairness of this process
23 will not be traced to the production of the
24 maps. It is going to be traced to how you
25 openly conducted these hearings and gave

1 everybody their input to this process.

2 That is what matters here. The Fair
3 Districts people clearly drew language that was
4 intended to force this process to end up being
5 decided by seven unelected people. We don't
6 want that. That would be the ultimate
7 unfairness.

8 We trust you, we believe you all to be of
9 good intent. Continue on your process, don't
10 pay attention to all of the continuous
11 criticisms of you fighting to represent
12 everybody in the state. Thank you.

13 CHAIRMAN GAETZ: Thank you very much,
14 Mr. Covington. Next, Julie Penrod-Glenn and
15 then following Ms. Penrod-Glenn, if William
16 McCormick would please be on deck.

17 Ms. Penrod-Glenn, thank you for coming
18 today and we look forward to your testimony.

19 MS. PENROD-GLENN: Thank you for having
20 us. Thank you for being here. I have been
21 thinking about what I wanted to say today in
22 three minutes and I will try to keep my time, I
23 will keep my time to three minutes.

24 All of you all and everyone in this room
25 has heard multiple times that in the United

1 States we have one of the lowest voter turn
2 outs in the world in democracies.

3 Voters say, my vote doesn't count. There
4 is no need for me to vote, nobody listens to
5 what I have to say. How many people have heard
6 that? I have heard it multiple times.

7 When the voters of Florida passed the Fair
8 District 5 and 6 Amendments to the Florida
9 Constitution, that represented voters saying,
10 hey, you all, I want my vote to count.

11 I don't want to continue to be apathetic
12 and believe that my vote won't be heard, my
13 vote doesn't matter. These two Amendments give
14 the Florida Legislature a chance to have every
15 single person that is eligible to vote in the
16 state of Florida to be heard.

17 What we have now in Florida is a gross
18 example of gerrymandering. Gerrymandering in
19 the United States has a long and very infamous
20 record. It goes back to the founding, before
21 the founding of the Constitution wherein slave
22 states, slave owners wanted to count
23 100 percent of their slaves as people, but the
24 Constitution said, hey, no, they only count for
25 a third.

1 Gerrymandering has continued all through
2 history. However, this is our opportunity to
3 change history, to change what we have been
4 doing in the past and make it right.

5 I urge you to have open hearings, to
6 release the maps, to speed up the process so
7 that people that want to run for election will
8 be able to have time. People that are running
9 elections will have time to let voters know who
10 is running, what the election process is all
11 about.

12 We have time to get it straight. Eighteen
13 states have already done it. It is time for
14 Florida to step up and do the right thing.
15 Thank you.

16 CHAIRMAN GAETZ: Thank you,
17 Ms. Penrod-Glenn. Excellent advice for us all.
18 William McCormick is next, and then following
19 Mr. McCormick, David Sullivan.

20 Mr. McCormick, thank you for coming this
21 morning. We look forward to your testimony.

22 MR. MCCORMICK: Well, can you hear me
23 okay?

24 CHAIRMAN GAETZ: Yes, sir.

25 MR. MCCORMICK: Thank you for letting us

1 speak at this public hearing. I want to begin,
2 by the way, I live in St. Augustine, 9224 July
3 Lane. I represent myself, but I want to begin
4 my statement with a quotation from, and I think
5 a very statesman like quotation, from a pretty
6 influential public servant, and the person I am
7 going to quote is George W. Bush.

8 So the following he his quote. "One way
9 to reduce the influence of ideological extremes
10 is to change the way we elect members of
11 Congress.

12 2006 only about 45 of 435 House races were
13 seriously contested. Some members in so-called
14 safe districts do not have to worry about a
15 challenge from the opposite party. Their
16 biggest vulnerability is getting out planked in
17 their own party.

18 This is especially true in the era of
19 bloggers who make national targets out of
20 politicians they deem ideologically impure.

21 The result is that members of Congress
22 from both parties can towards extremes as
23 insurance against primary challenges.

24 Our government would be more productive
25 and our politics more civilized if

1 Congressional Districts were drawn by panels of
2 nonpartisan elders instead of State
3 Legislators.

4 That would be, make for more competitive
5 general elections and a less polarized
6 Congress. Making the change would make
7 politicians, would require politicians to give
8 up some of their power, never an easy task, but
9 for future Presidents looking to tackle a big
10 problem, this would be a worthy one to take
11 on."

12 Using those quotations as by stepping up
13 point and I will keep this short, by the way,
14 those quotations are from George W. Bush,
15 decision twice, pages 306 and 307, 2010
16 copyright.

17 Using those statements as my starting
18 point, I want to emphasize five points.

19 First, the voters of Florida, 63 percent,
20 have spoken. They want -- they want the
21 Legislature and the Governor to follow the
22 wording and the intent of the specific
23 guidelines set forth in Amendments 5 and 6.

24 Two, they want those guidelines followed
25 in establishing the new districts in a timely

1 manner, well before the 2012 elections.

2 Third, borders clearly understand the;
3 polarizing and paralyzing effects that
4 gerrymandered districts have on the political
5 process.

6 And fourth, and I am going to quote a wise
7 man, one of our, by the way, one of our six
8 Legislators, State Legislators, that represents
9 part of St. Johns County, but basically they
10 understand the power that legislative leaders
11 have in affecting policy and funding.

12 As that wise State Legislator said in a
13 public discussion that we had prior to the
14 passage of the Amendments, Junior Legislators
15 accomplish little when they come to Tallahassee
16 and those in the minority party accomplish even
17 less.

18 He cited the example of one powerful
19 Committee Chairman who went against the wishes
20 of the leadership of the State Legislature and
21 put forth an amendment that they didn't want
22 put forth and the next day he was no longer
23 Chairman of that Committee. He wasn't even on
24 that Committee.

25 It shows you what kind of impact, a long

1 time in the Senate or in the House, whether you
2 are talking national or state, the power that
3 these people have.

4 Finally, you are among the parties'
5 leaders. Well, let me say this. One thing
6 that Bush, George Bush did not say, and he
7 could have, is that the reason why we have all
8 of this money funneled to special interests is
9 because of the gerrymandering that goes on.
10 Just look at what West Virginia, just look at
11 Mississippi. Just look at Alaska.

12 Who gets the money? Why? If you live
13 long enough, you are going to keep your office
14 in a gerrymandered district, and of course you
15 are going to get the money going to your
16 district.

17 CHAIRMAN GAETZ: Sir, in respect to the
18 people behind you, could I ask you to wrap it
19 up?

20 MR. MCCORMICK: All right, I will make my
21 last comment, I got off script. You are among
22 your parties' leaders and certainly party
23 leaders choose to circumvent the wishes of the
24 vast majority of Florida voters, you will
25 surely be reminded of that should they seek

1 re-election or election to higher office in the
2 future. Thank you.

3 CHAIRMAN GAETZ: Thank you very much, sir.
4 Appreciate your comments. Next is David
5 Sullivan and then following Mr. Sullivan is
6 Robert Phillips, if you will be ready,
7 Mr. Phillips.

8 Mr. Sullivan, thank you for coming today,
9 and we look forward to your testimony.

10 MR. SULLIVAN: Thank you for having me.
11 Dave Sullivan, I am a resident of Flagler
12 County, specifically Palm Coast, here on my
13 own, Volusia.

14 I appreciate the previous members who have
15 spoken for Flagler County and the city of Palm
16 Coast. I have some specific statistics I would
17 like to reiterate just to remind people of
18 where we are.

19 The 2010 Census is the reason we are doing
20 this redistricting. Flagler County has been
21 the fastest growing county in the United States
22 for four years in the mid-2000s.

23 The city of Palm Coast now has over 75,000
24 people. That comes as a shock to some people.
25 It is clearly the largest city between

1 Jacksonville and Orlando, and over the next few
2 years it will go over 100,000.

3 I, coming from Palm Coast and Flagler
4 County, want to make sure that we do stay
5 attached to St. Johns County. I think those
6 two counties have a lot in common, and so maybe
7 when you are doing the State and House and the
8 State senate redistricting, why not start
9 south?

10 Start at the Flagler County south border
11 and go north. When you get to 100 and,
12 whatever it is, 60,000 people, that is one
13 district and you continue on north and so
14 forth.

15 There is, it looks to me like there is
16 about room for two State Representatives in
17 that place and this, the two Senate Districts
18 make no sense at all right now, dividing it up,
19 coast and inland.

20 SENATOR GAETZ: Thank you, thank you very
21 much, Mr. Sullivan, excellent observations.
22 Next we will hear from Robert Phillips and
23 following Mr. Phillips, if Lee Owen
24 representing the Minorcan Families would be on
25 deck and ready to proceed, we would be

1 grateful.

2 Mr. Phillips, from the Duval County
3 Supervisor of Elections. Thank you very much
4 for being here and we look forward to your
5 testimony.

6 MR. PHILLIPS: Thank you very much, and
7 good morning, and I send regrets from
8 Mr. Holland, the Duval County Supervisor of
9 Elections.

10 He is actually out of the country right
11 now. He actually wanted me to attend
12 yesterday's meeting that you had in Duval
13 County, but I was actually down in our neighbor
14 Volusia County enjoying some of our wonderful
15 state parks.

16 So I saw the news last night so I know I
17 missed a good one, but after I saw, I wasn't
18 going to speak this morning, but when I saw
19 several members of the Duval delegation here,
20 including my Representative and then my
21 compatriots from Putnam and St. Jones County, I
22 just wanted to add, first of all, what St.
23 Johns County and what Putnam County said.

24 I don't have anything to add to that
25 because they said it so well. I would just

1 like to say that we, for the first time, the
2 state allowed us to produce those VTDs and all
3 of the Supervisors spent a lot of time last
4 year working with them.

5 We appreciate the fact that we have had
6 this input. This is actually my third
7 reapportionment that I am going through with
8 the state, and I could tell you some horror
9 stories from the '92 one that a lot of the
10 Supervisors talked about, how bad that one was.

11 It was also a Presidential year, and some
12 of you may remember, it was held out by
13 lawsuits and things like that. So I just
14 wanted to ask that you do take those VTDs into
15 consideration.

16 A lot of the supervisors put a lot of time
17 into them and also offer ourself as a resource
18 because we do have a lot of experience with the
19 precincts and we are the ones who get the
20 countless phone calls that say, I am
21 represented by this person and the person
22 across the street is represented by someone
23 else. How does that happen.

24 So just anything we could do to offer our
25 assistance, and also I would like to take this

1 opportunity to personally thank Mr. Guthrie who
2 I understand has been there quite a while.

3 He has always been very responsive when I
4 have called him and asked him for assistance,
5 so it is good that you have someone like that
6 as a guiding hand behind the process. Thank
7 you very much.

8 CHAIRMAN GAETZ: Thank you. Thank you
9 very much for your testimony today, and next is
10 Lee Owen from the, if I understand this
11 correctly, the Minorcan Families and after Mr.
12 Owen, John, I think it is Danahy, on Oglethorpe
13 Boulevard, if you could be on deck, please.

14 Mr. Owen, thank you for coming today.

15 MR. OWEN: Thank you. If many of you do
16 not know the Minorcans of this area have been
17 here before even the inception of Florida as a
18 territory to the United States.

19 We have seen political maps change. We
20 have seen districts change. We are what I
21 guess you can say closest to a true native of
22 Florida besides the Indian tribes that have
23 been here.

24 There has been the universal message
25 presented today that the left and the right of

1 our political spectrums can agree upon, and
2 that is the fact that we emphasize the need for
3 every district to be as local as possible and
4 every election to have local results.

5 It is a great feat when one man can shake
6 someone else's hand that they know, and they
7 can vote into office and I can say that,
8 because I have had the opportunity to shake
9 hands with Senator John Thrasher. I have had
10 the opportunity to vote for someone that I
11 know.

12 That is what we have to pursue in this
13 redistricting. A local election is an involved
14 election, an involved election is the true
15 meaning of a democratic republic. Thank you.

16 CHAIRMAN GAETZ: Thank you very much, Mr.
17 Owen, we appreciate it. Mr., is it Danahy?

18 MR. DANAHY: Yes, that is correct.

19 CHAIRMAN GAETZ: Mr. Danahy, thank you for
20 taking time to come this morning, and you are
21 recognized.

22 MR. DANAHY: Thank you very much.

23 CHAIRMAN GAETZ: And following Mr. Danahy,
24 if William Stuart will be on deck, and then
25 Mr. Stuart is our last signed up person who

1 wishes to speak. If there are other people who
2 have been inspired to share their views with us
3 and haven't signed up yet, if you will raise
4 your hand, we will have a House or Senate staff
5 person come and give you a card so that we can
6 hear from you as well.

7 Mr. Danahy, you are recognized. Thank you
8 for being here.

9 MR. DANAHY: Thank you. Before coming
10 into the auditorium I spent I think a fair good
11 amount of time with some of the folks that you
12 have out there giving me some background, et
13 cetera.

14 Also giving me some background as to what
15 is, I have to say, supposed to be because I
16 don't know whether it is going to work out that
17 way or not, how the redistricting law is going
18 to bring equity broadly, ethnically, racially,
19 well, not ethnically, because I would like to
20 have an Irish contingent, quite frankly.

21 But from what he said and how they are
22 going to form the -- assist the Committee in
23 helping to actually propose the redistricting,
24 when all is said and done, it is going to come
25 down to the decision of those who have the

1 vote, and if those that have the vote on the
2 results of this is not being proposed
3 satisfactorily, it is going to change.

4 You cannot sit there and tell me that you
5 are blankly going to assume and accept the
6 recommendations of those of the staff that are
7 putting the redistricting together according to
8 the law. I just, I just can't believe it.

9 I have lost faith and hope in so many
10 Legislators and I am going to stick strictly to
11 the state, and I have lost hope and faith in
12 our courts.

13 Not so much our local courts but our state
14 courts, and I have to go to the Federal court
15 as well, but I have lost faith in all of that,
16 because no matter what we have done and no
17 matter what we say, it is going to come down,
18 politics.

19 I don't care if you say it is going to be
20 helped put together by non voting. If you say
21 you don't have a partisan thought in this
22 thing, you are lying through your teeth.

23 Everyone has a partisan interest in
24 everything that is going on here, everything
25 that is said, and everything that is going to

1 come as a result of it. There is no way on
2 this earth that anyone of you can say, I am
3 going to set aside politics. It just cannot be
4 done.

5 You are human beings, you are political
6 human beings and it cannot be done. So my
7 interest is in a fair fight. That is all I
8 want, a fair fight.

9 We saw a fair fight in Jacksonville with
10 Mayor Brown, God I gloried in it, not because
11 he was black and he won, but he was an
12 underdog, big underdog, and he won. He won
13 because he had a fair fight.

14 Now, if the supporters are going to assume
15 in that fight that the opponent can't win,
16 well, that is their hard luck. It is up to the
17 -- not because you have an advantage in
18 redistricting.

19 Here in St. Johns County we have a
20 preponderance of Republican voters. Now, does
21 that mean that we are not going to have a fair
22 fight? If the issue, if the person is going to
23 create a fair fight, that person has every
24 right to win. So that is all I am looking for,
25 a fair fight.

1 CHAIRMAN GAETZ: Thank you very much. And
2 William Stuart is next, and if there is anyone
3 else, Mr. Stuart, before you begin, if there is
4 anyone else who would like to speak, if you
5 would raise your hand we will get to you.

6 Mr. Stuart, thank you very much for being
7 here. Thanks for your patience in waiting
8 through everybody else's testimony. We are as
9 anxious to hear from you as we were from the
10 very first person who testified.

11 MR. STUART: Well, thank you very much for
12 allowing me to testify. I am William Stuart.
13 I have lived all my life in Florida, I am a
14 Floridian and I have lived in the same Federal
15 Seventh District for half of my life, 54 years
16 old.

17 Needless to say, that is a safe district.
18 There hasn't been much competition for that
19 seat as long as I have lived there, and I have
20 seen the face of St. Johns County change so
21 much in the 34 years I have lived in St. Johns
22 County.

23 Before Flagler County was growing at the
24 rate it grew, and simultaneously, St. Johns
25 County has grown, and what I think the people

1 are asking for when they voted overwhelmingly
2 for redistricting, is just what my predecessor
3 have just said at this microphone today,
4 fairness and that is basically what I came
5 down.

6 I am not going to go into a long thing
7 about it. I think everybody here, that is what
8 they want, fairness. So when an incumbent is
9 so safe that he doesn't even have or she
10 doesn't even have to campaign, that is when we
11 know there is a problem, and I have seen that
12 election after election after election where if
13 you don't worry enough about competition that
14 you don't even air a commercial, put any signs
15 out, there is something, that is when I know
16 the system is broken.

17 So all I ask you is for you people to take
18 it seriously. There was a mandate, it wasn't
19 like the Governor's race, it was a mandate that
20 we won, this redistricting done and we want it
21 done fairly, and I also, I just wanted to say
22 in closing, I don't appreciate us having to
23 support a legal battle on both sides of the
24 issue. I don't think that is fair to the
25 voters of Florida, so.

1 CHAIRMAN GAETZ: Thank you, Mr. Stuart,
2 and as a reward for your hanging with us
3 through the whole hearing, we will certainly
4 get to a couple of the points, the very
5 important points that you made and see if we
6 can provide some factual information for you.

7 Is there anyone else who would like to
8 testify? Tommy, have you got somebody? Okay,
9 let's get that card up here, and, sir, you can
10 come to the microphone while your card is being
11 brought forward, and if you would kindly
12 identify yourself, sir, for the record?

13 MR. RETTY: My name is Dick Retty. I had
14 not intended to speak. I just want to make a
15 parallel to the Administrative Procedures Act
16 that governs all, all Federal government
17 agencies if the rulemaking process which begins
18 with a statute of and proposed rule to
19 implement the statute, a period of public
20 comment which may include hearings, an analysis
21 of all public comment and their agency response
22 and the publication or final rules.

23 One of the fundamental problems in this
24 morning's hearing, as I sat through this, is
25 you have gone from the requirement of a

1 regulation in this case, redistricting, to
2 public comment without a proposal, and without
3 the proposal the public comment has very little
4 meaning and you should have inverted the whole
5 thing and whether it is a charade or not it is
6 hardly the kind of procedure that is embedded
7 for now over 50 years, 60 years in Federal
8 government rulemaking. Just make that comment.

9 CHAIRMAN GAETZ: Thank you, Mr. Retty,
10 that is very kind of you. Is there anyone else
11 who, like Mr. Retty, was inspired to offer some
12 final comments? Anyone else? Third call?

13 First, let me as Chair of the Committee
14 and on behalf of the Speaker Designate,
15 Representative Weatherford, offer my thanks to
16 every single person who testified.

17 We couldn't have gained the specific
18 information about neighborhoods and counties
19 that we received today had we not come here and
20 had public hearings as the -- as the founder of
21 Fair Districts urged us to do prior to the
22 drawing of any maps.

23 I would like to now turn to members of the
24 Committee and start with House members to ask
25 if they have any observations, if they have any

1 suggestions or if they have any proposals to
2 make as a consequence of today's hearing or of
3 this process.

4 Any members of the House of
5 Representatives wish to make any comments?
6 Yes, sir, Speaker, go ahead.

7 REPRESENTATIVE BAXLEY: Thank you, I want
8 to thank both of our Chairmen for the
9 leadership that they have provided, and I want
10 to make it perfectly clear, no one has limited
11 my ability to speak. There has been no gag
12 order.

13 There is a time to listen and there is a
14 time to speak, and this has been a time to
15 listen and I thank everyone who contributed to
16 this. I think it is very important.

17 Chairman, I don't think people would have
18 been very happy if we would have just rolled
19 out a map and no one had a chance to comment on
20 this process beforehand, and so I am very
21 grateful for the way in which it has been
22 conducted and I am very grateful for the
23 information that I have gleaned from being a
24 part of this process. Thank you, sir.

25 CHAIRMAN GAETZ: Thank you very much. Any

1 other member of the House of Representatives
2 who is on the Committee, Democrat or Republican
3 from any state of the state?

4 Then let me turn to members of the Senate
5 who are on the Committee, Senator Hays, you are
6 recognized, sir.

7 SENATOR HAYS: Thank you, Mr. Chairman,
8 and I would like to thank each one of you who
9 did come out this morning and even listened,
10 but those especially who participated by giving
11 us your thoughts and your ideas.

12 I have something I would like for you to
13 consider though. Those who are advocating to
14 have only one Senator or only one
15 Representative for each county, or to have an
16 entire county under the district of only one
17 Senator or only one Representative.

18 The reality is, if that one Representative
19 or Senator that is -- that has your entire
20 county happens to not be of the same political
21 party that the leadership of their respective
22 House is, your county is probably going to be
23 toast until you get somebody in the Legislature
24 who is of the same political party that the
25 leadership is.

1 If your county, if your Legislator is the
2 only Legislator that represents your county and
3 they get cross ways with the leadership of
4 either House, you are probably toast. Your
5 interests are going to be ignored.

6 Now, is that the ideal way? No, that is
7 not the ideal way, but as I told you before, I
8 am giving you a taste of reality as it truly
9 is.

10 So you might want to really, really give
11 some serious consideration before you advocate
12 that your entire county have representation by
13 only one Legislator. That would be a very --
14 plus, if your county is split up into two or
15 three different districts, instead of having
16 only one voice in Tallahassee advocating for
17 you, you have multiple voices in Tallahassee
18 advocating for you.

19 I live in Lake County, and there are,
20 there is, I apologize, I don't know what the
21 number is now, but say roughly 200,000 people
22 in Lake County, enough for one whole House
23 District and a little bit more.

24 But Lake County has six Legislators, two
25 Senators and four Representatives that are

1 advocating for Lake County in Tallahassee, and
2 I don't care how strong that one person is,
3 four in the Legislature is, six in the
4 Legislator is a far sight better than only one.

5 So I really think you might want to give
6 some serious consideration to keeping the
7 counties with multiple districts in them.
8 Thank you, Mr. Chairman.

9 CHAIRMAN GAETZ: Other comments? Senator
10 Thrasher, you are recognized.

11 SENATOR THRASHER: Thank you, Senator
12 Gaetz and Representative Speaker Designate
13 Weatherford for your great leadership in
14 today's meeting.

15 Let me just say, first of all, the input
16 from all of you all has been incredibly
17 valuable. I don't think a member will leave
18 here today who hadn't been touched by some of
19 the comments that have been made and the
20 concerns and the passion for our process that
21 you all have exhibited here today.

22 This is the fifth of 26 hearings that this
23 Committee will hold around the state of Florida
24 in order to try to reach out to as many
25 citizens as we can, and I will tell you that I,

1 I can't speak for everybody here, but I think I
2 can on this one point.

3 That there is no member of this Committee
4 that does not intend and cares about upholding
5 the Constitution of the State of Florida.
6 Amendments 5 and 6 were voted on. They are the
7 law and we intend to stand by those Amendments
8 and do everything we can in our power to make
9 sure that we abide by them.

10 I know I do and I know every member of
11 this Committee does, and for you all who have
12 come here today and asked us to do that, I can
13 assure you that when we raise our hands and are
14 sworn into the Florida Legislature and agree to
15 uphold the Florida Constitution, we will
16 certainly do that in respect to these two
17 Amendments.

18 I will tell you the other thing. I have
19 been around a long time. I -- in and out of
20 the process of the Florida Legislature. I have
21 never seen this process be more transparent,
22 have more opportunities for citizen input from
23 the standpoint of technology.

24 I wish I understood it all, frankly, but I
25 am getting better, but it is, it is incredibly

1 transparent, and when we come back from these
2 hearings which I think end in August, we will
3 start the process of Committee hearings in
4 Tallahassee.

5 They are open to the public. They are
6 open to any citizen. We will begin that
7 process and we will begin the constructive
8 process and the dialogue of beginning to
9 understand the input that we have had from the
10 folks here.

11 I have heard you, and I think every member
12 here heard you, sooner than later. Contiguous
13 and compact, one person, one vote. Those are
14 all important principles and concepts that we
15 will be guided by.

16 The one thing I would remind you though,
17 and this is why we are doing these hearings
18 around the state. We have 27 Congressional
19 Districts to draw. We have 40 Senate Districts
20 to draw and 120 House Districts to draw, for
21 18 million people in the state of Florida.

22 I wish we could go back to the 60s. I
23 heard someone reference former Senator Berl
24 Polk, the lion of the St. Johns. I wish those
25 days were simpler, where we could simply, you

1 know, draw a contiguous district in a county,
2 in a county and-a-half or whatever, but
3 unfortunately, Florida has grown to the point
4 where we have 18 million people, and our job is
5 to try to -- try to do based upon the
6 principles that we have outlined, the best job
7 we can do based upon the input that you have
8 given us.

9 I can tell you, I wish Florida was a
10 square and that the population was all divided
11 out. It would make our job a lot easier, but
12 as you well know, the state of Florida ain't
13 drawn that way.

14 It is a different kind of state than most
15 states, and we have to deal with the
16 population, where they are, where they live,
17 and all of the considerations of contiguously
18 that you have pointed out to us.

19 None of us in here want to travel
20 150 miles probably from one point of our
21 district to the other point. It would be much
22 easier to do it in a more compact basis. So
23 those principles which have been outlined in 5
24 and 6 and some of the issues which
25 Representative Weatherford will address, I

1 think are the principles which we will be
2 guided by, but your input today has been
3 valuable. It has been professionally presented
4 and we thank you for it. God bless you, thank
5 you.

6 CHAIRMAN GAETZ: Thank you, Senator
7 Thrasher. Are there any other comments from
8 members of the Senate who are here? If not,
9 let me just say that you are welcome to contact
10 any member of this Committee to have a one on
11 one conversation, either by e-mail or on the
12 telephone, or by letter.

13 You are welcome to contact the House
14 Committee and the Senate Committee, the web
15 information, the Snail Mail information is on
16 the brochures that you received. This isn't
17 the beginning of our conversation. This is
18 just the beginning, it is not the end, and all
19 conversations start with somebody saying
20 something.

21 If we both talk at once, we can't hear
22 each other. So we have heard you today and you
23 will be hearing from us as we gather more input
24 from across the state.

25 And now, without objection, I would like

1 to turn to the Speaker Designate,
2 Representative Weatherford who Chairs the House
3 Committee.

4 Representative Weatherford has made some
5 notes so we can provide some factual
6 information in response to some of the comments
7 and questions that have been made today so that
8 we can all leave here with the same set of
9 facts.

10 Mr. Chairman, you are recognized.

11 REPRESENTATIVE WEATHERFORD: Thank you,
12 sir, thank your, Chairman, and I just want to
13 echo the comments that were made about how much
14 I learned today, frankly, about northeast
15 Florida and some of the issues and the
16 communities of interest of the surrounding
17 counties here in Flagler and St. Johns and
18 Clay, and I think every member of this
19 Committee is going to walk out of here with a
20 better understanding of the unique and special
21 nature that you have here.

22 It is a beautiful part of the state and it
23 was very enlightening for me to hear about
24 specifics and things that you wanted to see
25 this Committee consider as we are making

1 decisions. So thank you for doing that.

2 Mr. Chairman, I would like to just go over
3 a few facts to make sure that we all walk out
4 of this room with the same understanding about
5 what the law says and what we have to do and
6 what is incumbent upon us.

7 The first of which deals with the
8 timeline. The timeline seems to come up at
9 every hearing that we go to. It seems to be an
10 area that people appear to be scripted up to
11 talk about and mention at every hearing, but I
12 just want to make sure that everyone is clear
13 about this.

14 The Constitution of the State of Florida
15 tells us that we cannot redraw any districts or
16 vote on districts until the session starts in
17 2012.

18 Now, what we have done is we have moved up
19 our session two months, not in March, which was
20 mentioned earlier here today, we have moved our
21 session up to January, so that we can produce
22 the maps as soon as our Constitution allows us.

23 It is also important for you to know,
24 there are only two other states in the United
25 States of America that have similar timing

1 constraints as Florida, and they are Maryland
2 and Vermont.

3 And so Florida, not because we decide to,
4 but because the voters voted for a Constitution
5 that told us that we cannot redraw those maps
6 until January of 2012, it is the earliest we
7 can possibly do it.

8 So we are merely following the law and the
9 Constitution that is set out before us. I also
10 want to mention a lot of the states that were
11 talked about that have already drawn the maps,
12 that have already voted on maps and have passed
13 them, many of those states have off election
14 cycle elections, which what that means is,
15 their elections are this November, in 2011, not
16 in 2012.

17 And so states like Virginia, New Jersey,
18 Mississippi, Louisiana, those states got their
19 census data almost six or eight months ahead of
20 the state of Florida, Mr. Chairman, and
21 therefore, were able to vote on maps because
22 they had an election this year.

23 As we all know, the state of Florida is
24 not an off cycle state. Our election is in
25 November of 2012. So we got our census data in

1 the very last tranche of census data that went
2 out to the last block of states.

3 That came in late March. We have utilized
4 that data. We had it available to the citizens
5 of Florida immediately as soon as we possibly
6 could, and I think that is an important note to
7 make.

8 There was also some comment in regard to
9 the maps and whether or not we should produce
10 maps to show you first as opposed to take
11 public testimony, and I just have to tell you,
12 and I don't know if any member of this
13 Committee feels differently, I don't think they
14 do, but I don't want to speak for them, but to
15 me this is one of the rare opportunities for
16 politicians, public servants, where they are
17 actually listening first before we are making
18 decisions.

19 The most criticism I get back in my
20 district in Pasco County is that we make
21 decisions before we listen to the citizens of
22 Florida. This is a case where we have decided,
23 both Speaker Cannon and President Haridopolos,
24 myself and Senator Gaetz, that we are going to
25 listen first before we draw the first map, and

1 I think that is out of respect for you more
2 than anything.

3 Also, in regards to that, the framers, the
4 actual framers of Amendments 5 and 6, Ellen
5 Freidin and Former Speaker Mills, both stated
6 before a joint hearing in the Legislature that
7 they would not even try to attempt to draw maps
8 until they had heard from the public first.

9 These are the framers of Amendments 5 and
10 6 which I have sworn to defend and protect as
11 it is part of the Constitution. They said they
12 would hear from the public first and that is
13 why we are hearing from the public first as
14 well.

15 When it comes to Amendments 5 and 6, and I
16 think this was spoken very eloquently and I
17 will not try to belabor the point, but we did
18 take a constitutional oath last November in our
19 organizational session to uphold and protect
20 and defend the Constitution of the United
21 States and the Constitution of Florida, and I
22 want everyone to walk out of here with the
23 confidence that you understand that the
24 Amendments 5 and 6 which passed with
25 overwhelming majorities in the state of

1 Florida, will be upheld and will be protected
2 by this Committee and by the Florida House and
3 by the Florida Senate because it is the law of
4 the land in the state of Florida. I want you
5 to know that is going to be the case.

6 In regard to the gag order, again, I
7 thought Representative Baxley, you spoke to it
8 very eloquently. There is no gag order.
9 Again, there seem to be the same scripts that
10 are floating around that we hear at every
11 public hearing, but there is no gag order, and
12 as you heard today, there were multiple members
13 who spoke, if anyone wants to speak to us
14 individually after this hearing, we would be
15 more than willing to speak with you.

16 The gag order does not exist, it never
17 existed. And also, there were comments made in
18 regards to litigation and I want to be very
19 clear about the litigation.

20 The first is, there is no pot of money set
21 aside by the State legislature, House or
22 Senate, that is focused on spending money on
23 fighting Amendments 5 and 6. There is no pot
24 of money set aside, that does foot exist.

25 That being said, that being said, the

1 litigation that people have been talking about
2 and that newspapers have been writing about was
3 filed by two Congressmen, one Congressman and
4 one Congresswoman, a Republican and a Democrat.

5 They filed the litigation, the Florida
6 House chose to intervene in that litigation
7 because what we were doing is seeking
8 clarification as to whether or not Amendment 6,
9 which only deals with Congressional Seats, not
10 Amendment 5, but in regard to Amendment 6, as
11 to whether or not it is constitutional
12 according to the Federal Constitution, not the
13 State Constitution.

14 So we are seeking clarification on that.
15 We did not file the lawsuit because it affects
16 the Legislature, we have intervened in that
17 lawsuit and we are a partner in that, but that
18 is an important distinction that needs to be
19 discussed.

20 Someone else mentioned that we should
21 create an independent commission after we take
22 all of the public testimony, get all of the
23 data, hand it over to an independent commission
24 and let them do the work for us.

25 Ladies and gentlemen, I am sure there are

1 members on this Committee that would love to do
2 that, but there is a slight problem there, and
3 that is that the Constitution gives us the sole
4 authority to draw the maps.

5 We have a responsibility according to our
6 Constitution to draw the maps ourselves and not
7 to hand it over to a commission. If the
8 framers of Amendments 5 and 6 wanted it to be
9 an independent commission and not the
10 Legislature, they could have made it that way,
11 but they chose not to. So we have the sole
12 responsibility of drawing those maps.

13 Lastly, there was a point that was made in
14 regard to political registration and that that
15 can somehow guarantee political results.

16 I want people to understand that in the
17 Florida Senate, for example, there are 28
18 Republicans and there are 12 Democrats.
19 However, 20 of those seats were carried by
20 President Obama in 2008, when he ran for
21 President, 20 of them.

22 So that means there were eight seats where
23 there is a Republican sitting in the State
24 Senate where that same seat voted for a
25 Democratic President of the United States.

1 We all know that voters are independent.
2 We all know that not all Democrats vote for
3 Democrats. We all know that not all
4 Republicans vote for Republicans, and we
5 certainly know that Independents can go either
6 way, and it is important to understand that the
7 seats in the state of Florida are not drawn and
8 will not certainly be drawn with political
9 intent, and when I talk about us upholding the
10 law in regard to 5 and 6, you have to
11 understand, when the Constitution says that we
12 cannot show intent to favor or disfavor a
13 political party or a candidate or an incumbent,
14 we believe that. We know that.

15 I have told every member of this body that
16 we don't want to know where you live. We don't
17 want to know what your political agenda is. We
18 are here to do a job to draw the seats
19 according to what the law states and according
20 to what the law and the Constitution requires
21 us to do.

22 And so, Mr. Chairman, I hope that brings
23 some clarity. There was some great public
24 testimony today, but the facts have to be the
25 facts and we have to make sure that the

1 citizens of Florida and particularly the ladies
2 and gentlemen who took time out of their busy
3 day to be here understand what the facts are.

4 We are grateful for your participation
5 today. Thank you for giving us an opportunity
6 to present in this wonderful facility. We are
7 grateful to Flagler College and Mr. Chairman, I
8 will turn it back over to you, sir.

9 CHAIRMAN GAETZ: Thank you very much,
10 Mr. Speaker. Let me give you a little bit of
11 previous upcoming attractions.

12 As Senator Thrasher indicated, we will
13 continue having the public hearings that we
14 have publicly noticed to give people in
15 communities across the state the same
16 opportunity that you had today, to share your
17 views, whatever they might have been.

18 Then when we get back to Tallahassee,
19 contrary to what someone may have told you or
20 somebody may have scripted, the fact is there
21 is no requirement that votes can't be taken
22 until March.

23 Votes can be taken as soon as the
24 Legislature goes in to session, which by
25 Constitution, cannot occur until January.

1 Now, we will begin committee meetings in
2 September, votes can be taken in committee.
3 Any time anybody makes a proposal, any member
4 of the Florida Legislature, it can be a member
5 of the House or Senate Committee, it can be a
6 member of the Legislature who is not on the
7 Committee, can offer a proposal, could offer a
8 map, any time they want, and it can come before
9 the Redistricting Committee and the House
10 Reapportionment Committee and the Senate any
11 time that it is proposed.

12 Similarly, we have had individual citizens
13 and interest groups already propose maps.
14 Yesterday when we were in Jacksonville during
15 the time we were at the hearing, there were
16 three maps that were proposed by groups in the
17 state of Florida.

18 Those all will be publicly available and
19 can be brought before committees at any time by
20 members of the committee or by members of the
21 Legislature or brought in testimony by
22 individual citizens or special interest groups,
23 and when I say special interest groups, I don't
24 mean it as a pejorative, but rather there are
25 people who are a part of groups that have a

1 special interest in this issue. Nothing wrong
2 with that. That is America.

3 So votes can begin as soon as proposals
4 are made. As Chairman Weatherford has
5 indicated, we are having hearings around the
6 state to hear from voters, but at the same time
7 maps are already being proposed. So if you
8 want to know where the maps are, you may go
9 on-line to either the House or Senate websites
10 and you will already see proposed maps that you
11 can begin to comment on, that you can point
12 out, here is what is right about it, here is
13 what is wrong about it, here is where it takes
14 into account our concerns, here is where it
15 fails to take into account our concerns, and
16 you can convey your information and your input
17 to the House or Senate Committees.

18 You as Speaker Designate Weatherford said,
19 will have the opportunity as all citizens will
20 to comment on any map, any proposal that comes
21 before any committee before any vote is taken
22 and we will, we will move with all dispatch to
23 do that as soon as we have heard from the
24 public and as soon as we have proposals in
25 front of us.

1 To end our session this morning, we are
2 fortunate to have the Chancellor of Flagler
3 College and the State Representative from this
4 area, Dr. Bill Proctor here.

5 Dr. Proctor, if you could make your way to
6 the microphone we would love to have you give
7 us the benediction this morning in political
8 terms, of course.

9 Dr. Bill Proctor. Thank you for allowing
10 us to be here, Dr. Proctor, in this beautiful
11 auditorium and on your outstanding and
12 picturesque campus and you are recognized for
13 any comments you wish to make, sir.

14 DR. PROCTOR: Thank you so much. I don't
15 think that I am professionally qualified to
16 give benedictions, but I do want to welcome
17 you, glad to have you here.

18 I wish I could have been with you earlier,
19 but we did have a little illness in the family
20 that delayed my arrival, but I am so glad to
21 have you on the campus and I appreciate you
22 taking the time to be with us.

23 CHAIRMAN GAETZ: Thank you, Dr. Proctor,
24 and there being no business, Chairman
25 Weatherford moves we rise.

1 (Whereupon, the proceedings were
2 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 126 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 29th day of September, 2011.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014