

In the Matter Of:
FLORIDA CONGRESSIONAL REDISTRICTING

FLORIDA SENATE SESSION

April 29, 2026



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TRANSCRIPTION OF VIDEO FILE OF:
FLORIDA SENATE SESSION
April 29, 2026

(Beginning of Video Recording)

MR. PRESIDENT: The Senate will be in order.
Good morning, good morning, good morning. The
senators and guests in the gallery, please rise for
the opening prayer be given by Dr. Doug Stauffer of
Faith Independent Baptist Church in Niceville.

Dr. Stauffer is sponsored by the senator of
the 2nd District, Senator Trumbull. Welcome, Pastor.

MR. STAUFFER: Thank you. Let's pray.

Heavenly Father, we come before Thee
acknowledging our weaknesses and human frailties. We
confess that without Thee, can do nothing.

Lord, we thank Thee for the privilege of
service in this great State of Florida. As these
senators gather for this special session, we recognize
the seriousness of the work before them, decisions
that will shape representation and impact both this
state and the nation.

We pray for each senator, for president
Albritton, for Governor DeSantis and his cabinet.
Grant each of the state leaders wisdom beyond their
expectations, discernment beyond political pressure,
and courage beyond personal ambition. Help them to do
what is right for Florida and what is right for this
nation. Give them clarity to act in a manner that

1 preserves liberty, protects the voice of the people,
2 and strengthens the foundations of this republic
3 established 250 years ago.

4 Empower them, Lord, not merely with
5 authority but with godly convictions. Remind them
6 that leadership is not personal preeminence but
7 stewardship, not self-interest but service to the
8 people they represent. May they, like the founders of
9 this nation, seek Thy guidance and acknowledge Thy
10 hand in the affairs of this nation.

11 Give them reverence for truth or respect for
12 law and a commitment to that which is right. Let the
13 decisions made in this chamber align with the
14 Constitution and may their work be sound, just, and
15 able to withstand examination by the courts.

16 May the work accomplished in this special
17 session bring stability, fairness, confidence to the
18 people of Florida and serve as an example of
19 principled governance to this nation. We commit this
20 session, these leaders, and this state into Thy hands,
21 Oh Lord. In Jesus name, I pray. Amen.

22 MULTIPLE VOICES: Amen.

23 MR. PRESIDENT: Amen. Please remain
24 standing for the pledge of allegiance to be led by
25 Senator Burgess from his desk.

1 MULTIPLE VOICES: I pledge allegiance to the
2 flag of The United States Of America and to the
3 republic for which it stands, one nation under God,
4 indivisible, with liberty and justice for all.

5 MR. PRESIDENT: We'll now continue with the
6 order of business. Are there reports of committees?

7 THE CLERK: None on the desk, Mr. President.

8 MR. PRESIDENT: Are there motions relating
9 to committee reference?

10 THE CLERK: None on the desk, Mr. President.

11 MR. PRESIDENT: Other messages from the
12 Governor or other executive communications?

13 THE CLERK: None on the desk, Mr. President.

14 MR. PRESIDENT: Other messages from the
15 house of representatives?

16 THE CLERK: None on the desk, Mr. President.

17 MR. PRESIDENT: Other matters on
18 reconsideration?

19 THE CLERK: None on the desk, Mr. President.

20 MR. PRESIDENT: Take up the special order
21 calendar. Read the first bill.

22 THE CLERK: Senate Bill 8-D -- a bill to be
23 entitled, an act establishing the congressional
24 districts of the state.

25 MR. PRESIDENT: The senator of the 1st

1 District, Senator Gaetz, you're recognize to explain
2 the bill.

3 SENATOR GAETZ: Thank you, Mr. President.
4 At 11:15 a.m. Monday, I received an email from the
5 Governor's legal counsel containing Governor
6 DeSantis's plan for congressional redistricting, and
7 here we are two days later on the Senate floor
8 considering that plan.

9 Some people say we should have had more
10 notice, more time, and I feel that way, too. But of
11 all the folks who came yesterday to the Rules
12 Committee to protest the Governor's proposal, I doubt
13 any of them would have stayed home if they had just
14 had a few more days to think about it.

15 The Governor cut it close. He could have
16 sent the email earlier, but he played by the rules --
17 our Senate rules that prescribed the lead time for
18 items to be presented to the Rules Committee. All I
19 know about the Governor's proposal is what those who
20 came to the Rules Committee yesterday know, and that
21 is what we learned from the Governor's
22 representatives.

23 The Governor's proposal is not
24 unprecedented. There is no federal or state law
25 prohibiting mid-decade or congressional redistricting.

1 In fact, Florida has done it four times before for
2 various reasons. Seven states are redistricting now
3 in the middle of a decade, some blue states, some red
4 states.

5 And in Florida, the Governor has a
6 constitutional role in congressional redistricting.
7 He can propose a redistricting plan anytime mid-
8 decade, as he has successfully done before. Some may
9 not like that he can do that or that he is doing it,
10 but he can do it.

11 In his letter of transmittal, the Governor
12 told us why. He gave us two reasons. First, to
13 redress what he says is an imbalance, an illegal
14 imbalance of one-person-one-vote. The Governor argues
15 that disproportionate surges in population in a state
16 that is surging in population have left some voters
17 with diminished electoral rights. And Mr. Pareda,
18 representing the Governor, says he has drawn maps to
19 make those districts precisely equal and to redress
20 those inequities.

21 The second reason the Governor gives for
22 proposing this plan to us is that any district lines
23 drawn with a racial preference are unconstitutional.
24 So Mr. Pareda, again on the Governor's behalf, has
25 drawn districts, which he says are race neutral,

1 taking no account of race whatsoever.

2 The Governor has laid out his legal and his
3 constitutional theory, plainly declaring that the Tier
4 One racial preferences in the Fair Districts Amendment
5 are, in the Governor's view, unconstitutional and
6 inconsistent with the 14th Amendment to the United
7 States Constitution.

8 I am not here to prove his theory of
9 constitutional law or to prove that it will prevail.
10 That proof was offered in testimony yesterday by the
11 Governor's representatives and was explained by his
12 legal counsel and was questioned and debated by
13 brilliant lawyers who are in this chamber. But it is
14 the Governor's prerogative to make his case.

15 The Governor has called us into special
16 session to receive and to consider his congressional
17 redistricting plan. And now, it's ours to vote it up
18 or down. The Governor has made his case, and Mr.
19 President, I ask that the Senate thoughtfully and
20 respectfully consider that case. And that is the
21 bill.

22 MR. PRESIDENT: Are there amendments?

23 THE CLERK: None on the desk, Mr. President.

24 MR. PRESIDENT: Are there questions? Seeing
25 none --

1 (Mumbled voices)

2 MR. PRESIDENT: Oh, no, no, no. Okay.
3 Okay. Senator Rouson, in questions you are
4 recognized, sir.

5 SENATOR ROUSON: Thank you very much, Mr.
6 President.

7 And, President Gaetz, in explaining this
8 bill, you spent a lot of time talking about the
9 process by which we received this bill and considered
10 it. Do you recall in 2011 when you chaired the
11 redistricting committee that some of us members who
12 sitting on this floor right now served on and the
13 number of public hearings we had so that the public
14 could give adequate input?

15 MR. PRESIDENT: Senator Gaetz.

16 SENATOR GAETZ: Thank you, Mr. President.
17 Thank you, Senator Rouson. I can show you the wound
18 in my side. I can remember those days well. My
19 recollection is, sir, that we had 26 public hearings
20 around the state, and you were there for a number of
21 them.

22 MR. PRESIDENT: Senator Rouson.

23 SENATOR ROUSON: Thank you very much, Mr.
24 President. Did the public, in your opinion, get
25 adequate time to research, analyze, and provide input

1 to the map that we're considering today?

2 MR. PRESIDENT: Senator Gaetz.

3 SENATOR GAETZ: Thank you, Mr. President.

4 I suspect that that's a matter of a personal
5 view as to whether you believe that you had time or
6 that any member of the public had time to review the
7 map. The notion of congressional redistricting
8 mid-decade is not a new notion.

9 Even though the map was presented to us just
10 prior to this session, the debate and the discussion
11 about congressional redistricting mid-decade has gone
12 on for several months. I don't think it's news to
13 anyone in Florida who is interested in the issue and
14 follows the issue.

15 MR. PRESIDENT: Senator Rouson.

16 SENATOR ROUSON: Thank you very much, Mr.
17 President.

18 Well, isn't it a fact that as we stand here
19 or sit here today, the current map is constitutional?

20 MR. PRESIDENT: Senator Gaetz.

21 SENATOR GAETZ: Thank you, Mr. President.

22 I don't propose to opine on the
23 constitutionality of any map. I would only say that
24 the map that we have today is the law until it's
25 changed. And I would suspect, deferring to competent

1 counsel present, that it's constitutional until some
2 court says it's not.

3 MR. PRESIDENT: Senator Rouson.

4 SENATOR ROUSON: Thank you, Mr. President.

5 Well, isn't it a fact that the -- that we're
6 doing this proposed map on a signal from the Supreme
7 Court that they might declare fair districts
8 unconstitutional?

9 MR. PRESIDENT: Senator Gaetz.

10 SENATOR GAETZ: Thank you, Mr. President.

11 I've received no signal from the United
12 States Supreme Court. The only signal I received was
13 at 11:15 in the morning on the 26th of April, I
14 received an email from the Governor's legal counsel
15 presenting the Governor's proposal and a letter of
16 transmittal. That is the only provocation that I know
17 of for us being here today.

18 There may be other influences about
19 redistricting that are occurring around the country or
20 in the minds of people in the state, but I've received
21 no signal from the United States Supreme Court.

22 MR. PRESIDENT: Senator Rouson.

23 SENATOR ROUSON: Thank you very much, Mr.
24 President.

25 Well, you were in committee yesterday when

1 the Governor's legal counsel indicated that they were
2 doing this based upon signals that they had received
3 from the court and assumptions that they were making.
4 Is that correct?

5 MR. PRESIDENT: Senator Gaetz.

6 SENATOR GAETZ: Thank you, Mr. President. I
7 heard the same comments that you did from the
8 Governor's legal counsel, and I certainly could not
9 characterize those comments or embroider them in any
10 way. They stand as they were stated.

11 MR. PRESIDENT: Additional questions?
12 Senator Sharief, questions.

13 SENATOR SHARIEF: Thank you.

14 Senator Gaetz, outside of a new census or a
15 court order, what objective event or legal necessity
16 justifies altering the district lines that voters
17 relied upon in the last election cycle?

18 MR. PRESIDENT: Senator Gaetz.

19 SENATOR GAETZ: Thank you, Mr. President.

20 There is no law -- there's no state law,
21 there's no federal law -- that prohibits a
22 mid-district -- mid-census or mid-decade
23 redistricting. And so there does not need to be a
24 particular provocation other than the Governor's
25 reasons that he gave, which were first to redress what

1 he said was a one-person-one-vote imbalance caused by
2 a disproportionate surge in population. And secondly,
3 to deal with the Governor described as an
4 unconstitutional racial bias in Tier One of the fair
5 district amendment.

6 MR. PRESIDENT: Senator Sharief.

7 SENATOR SHARIEF: How does changing district
8 boundaries mid-decade respect the expectations of
9 voters who can't cast -- who cast ballots under a
10 different district structure and representation?

11 MR. PRESIDENT: Senator Gaetz.

12 SENATOR GAETZ: Thank you, Mr. President.
13 With respect, Senator, could you please repeat the
14 question?

15 MR. PRESIDENT: Senator Sharief.

16 SENATOR SHARIEF: How does changing district
17 boundaries mid-decade respect the expectations of
18 voters who cast ballots under a different district
19 structure and representation?

20 MR. PRESIDENT: Senator Gaetz.

21 SENATOR GAETZ: Thank you, Mr. President.

22 If I understand the question, it occurs
23 whenever we change district lines that voters find
24 themselves in a different congressional district, or
25 in the case of legislative redistricting in a

1 different House or Senate district. Their house
2 didn't move, but the lines moved, and they find
3 themselves in a different district voting for perhaps
4 different candidates than they did before.

5 That's not a creature of this redistricting
6 proposal. Rather, it occurs in every time there's
7 redistricting. Thousands, if not hundreds of
8 thousands, of people in our state and in other states
9 find themselves in different districts.

10 MR. PRESIDENT: Senator Sharief.

11 SENATOR SHARIEF: So in your opinion, does
12 this proposal ensure that voters are not treated
13 differently based on shifting district lines
14 mid-cycle, particularly in light of the equal
15 protection principles under the 14th Amendment?

16 MR. PRESIDENT: Senator Gaetz.

17 SENATOR GAETZ: Thank you, Mr. President.

18 I cannot improve upon nor would I try to
19 characterize or defend the legal analysis provided by
20 the Governor's legal counsel in response to that
21 question yesterday.

22 MR. PRESIDENT: Additional questions,
23 Senator Sharief?

24 SENATOR SHARIEF: So if this is permissible
25 today, what prevents it from becoming a standard

1 practice tomorrow?

2 MR. PRESIDENT: Senator Gaetz.

3 SENATOR GAETZ: Thank you, Mr. President.

4 The Governor can propose a mid-decade
5 redistricting, and the Governor can provide a
6 rationale for why he proposes it. It is then up to
7 the legislature to determine whether or not it is
8 timely and appropriate to do so. And that's why the
9 Governor can propose, but we must dispose. And that's
10 why we're here on this floor today.

11 MR. PRESIDENT: Senator Sharief.

12 SENATOR SHARIEF: So in light of the
13 statements that were made yesterday from the
14 Governor's staff in regards to taking into account
15 partisan principles when redrawing these district
16 maps, how can we ensure that all voters are respected
17 and treated equally when these law -- when these lines
18 are redrawn for redistricting purposes?

19 MR. PRESIDENT: Senator Gaetz.

20 SENATOR GAETZ: Thank you, Mr. President.

21 The Governor's representatives, indicated
22 yesterday that, they did not use partisan information
23 in in a way that was different from the usual fashion
24 that redistricting is done and the functional analysis
25 is done. But the way -- the safeguard, obviously, to

1 make sure that people's rights are not violated is, if
2 there are individuals who believe that the Governor's
3 plan, if it is adopted, violates any constitutional or
4 legal stricter in our state or nationally, is to go to
5 court.

6 MR. PRESIDENT: Additional questions,
7 Senator Sherief.

8 SENATOR SHARIEF: So basically, based on the
9 polls that we have that come from my district in
10 Broward County and the polls in Broward County in
11 general, we know that there are a larger number of
12 Caucasian Republicans than there are black
13 Republicans. And so when you say that you're using
14 partisan data but not taking into consideration race,
15 I challenge that principle.

16 And so I want to know, do you have data
17 different than what occurs in my county throughout the
18 state that would make partisan data appropriate to be
19 used versus race?

20 MR. PRESIDENT: Senator Gaetz.

21 SENATOR GAETZ: Thank you, Mr. President. I
22 have no data other than the information that was
23 provided to you and to me in the Rules Committee
24 yesterday by the Governor's representatives.

25 MR. PRESIDENT: Senator Sharief.

1 SENATOR SHARIEF: President.

2 MR. PRESIDENT: Senator Smith, any
3 questions?

4 SENATOR SMITH: Thank you, Mr. President.

5 President Gaetz, I appreciate your comments
6 as you opened today's discussion specifically around
7 how you're not here to prove or disprove the
8 Governor's Office and their theories. But as you
9 know, President Gaetz, all of their theories are based
10 on an assumption that the Supreme Court will rule in a
11 certain way and that the way that they will rule will
12 undermine the entire Fair District's Amendment.

13 My question for you is -- and this is
14 breaking news. We have just heard that the Supreme
15 Court has dropped a decision on the Louisiana case.
16 None of us have had the opportunity to read it or
17 understand the full implications of this ruling. Do
18 you believe that it's in the best interest of Florida
19 voters and our constitution to temporarily postpone
20 this bill until we fully understand this ruling?

21 MR. PRESIDENT: Senator Gaetz.

22 SENATOR GAETZ: Thank you, Mr. President.
23 That's certainly a prerogative. It is a prerogative
24 of the legislature to postpone consideration of this
25 legislation, if you will. My understanding, as is

1 yours, Senator, is that the Callais decision has been
2 rendered by the Supreme Court.

3 But also, as we heard yesterday in the Rules
4 Committee, it is the legal theory of the Governor that
5 the Callais decision, no matter how it goes, does not
6 by itself obviate the need for his proposal, but
7 rather, that there are other legal cases that the
8 Governor's representatives quoted yesterday, which
9 they believe provide sufficient legal justification
10 for having race neutral lines drawn.

11 But I take your point that the Callais
12 decision is one that could be studied and might have
13 an effect on the vote that any individual senator
14 might make today.

15 MR. PRESIDENT: Senator Smith, any
16 questions?

17 SENATOR SMITH: Thank you, Mr. President.

18 And I appreciate that authentic response in
19 in real time. If that's the case, I do believe it
20 would be the responsible thing as a chamber for us to
21 temporarily postpone this bill. I move that we
22 temporarily postpone this bill.

23 MR. PRESIDENT: There's a motion on the
24 floor. This is a voice vote. All those in favor of
25 the motion signify by saying yea.

1 MULTIPLE VOICES: Yea.

2 MR. PRESIDENT: All those opposed, no.

3 MULTIPLE VOICES: No.

4 MR. PRESIDENT: Show the motion fails.

5 Additional questions?

6 I'm not waiting 30 minutes for you to
7 (inaudible) five hands. You had two up when the
8 motion was done, and so we're moving on.

9 All right. Five hands. Let's go to the
10 board. We'll open up the board. All those in favor
11 of the motion -- I'm sorry -- all those -- Clerk will
12 unlock the board. All those prepared to vote on the
13 motion.

14 Clerk will lock the board. Announce the
15 vote.

16 THE CLERK: Twelve yeas, 23 nays, Mr.
17 President.

18 MR. PRESIDENT: So the motion fails.
19 Additional questions? Senator Jones in -- Senator
20 Smith, you have additional questions?

21 I'm sorry. Hang on just a second. Senator
22 Jones.

23 SENATOR JONES: Thank you, Mr. President.

24 I don't think the intention was for us to go
25 into that direction. I think what Senator Smith was

1 trying to convey is to see if we, as a body, can pause
2 for two seconds. considering that this decision just
3 came out, No one in this body has been able to read
4 what the ruling was, which pertains directly to what
5 we're dealing with today.

6 So, Mr. President, both, we're just asking
7 if we can pause for two seconds so we can talk to our
8 team, you all can talk to your team, so we can make
9 sure that we're asking the right questions for the
10 Floridians who are watching this. That's all we're
11 asking.

12 MR. PRESIDENT: Procedurally, understood.
13 We took up the motion and we voted, and it was
14 defeated. And so we will continue on.

15 Senator Smith, any questions?

16 SENATOR SMITH: Thank you, Mr. President.
17 Excuse me. I'm just trying to collect and reassess
18 some of my questions because I have a ruling in front
19 of me that I have not read. So please forgive me in
20 advance if any of these questions may be obsolete.
21 We're just going to power through here.

22 So first, I want to start, President Gaetz,
23 with the map as it impacts the district that I
24 represent in Central Florida, Senate District 17.
25 I've taken a look at the current Congressional

1 District 9, which is a majority-minority district that
2 is compact, and it provides a fair opportunity for
3 Hispanic population, the Puerto Rican population there
4 to elect a representative of their choice in
5 compliance with the Voting Rights Act.

6 But when I compare it to the proposed
7 Congressional District 9 in the map before us, I can
8 clearly see that the new lines were drawn to split
9 this compact, politically-cohesive Latino population
10 into four or five different congressional districts CD
11 9, CD 10, 11, and 18.

12 President Gaetz, do you believe it's legal
13 for the legislature to approve a map that,
14 effectively, eliminates Hispanic voting power in
15 Central Florida and prevents them from electing the
16 candidate of their choice?

17 MR. PRESIDENT: Senator Gaetz.

18 SENATOR GAETZ: Thank you, Mr. President.

19 Senator, as I indicated before, I don't
20 intend to nor would I have the credentials to opine
21 legally on a question of the sort that you've
22 described.

23 I can only say that the Governor's
24 representatives, as you saw yesterday in the Rules
25 Committee, presented a plan which they say takes into

1 account -- does not take into account race in any way
2 shape or form in the drawing of any lines, but rather
3 deals with a surge in population and where that
4 disproportionate surge exists in their mind based on
5 EDR analysis. But I cannot opine obviously on a legal
6 question of the sort that you've raised.

7 MR. PRESIDENT: Senator Smith.

8 SENATOR SMITH: Thank you, Mr. President.

9 And with deference and respect to you,
10 President Gaetz, many of my questions are actually to
11 you because of your experience. You actually chaired
12 and led the redistricting effort for the Florida
13 Senate in 2010. You gained a great deal of experience
14 from that. And so I say that because I value your
15 insights as more experience than mine.

16 So my question is, specifically your
17 understanding with that expertise with the law as it
18 currently stands, does cracking the Latino population
19 in this way, does that comply with the Federal Voting
20 Rights Act and the Fair Districts Amendment?

21 MR. PRESIDENT: Senator Gaetz.

22 SENATOR GAETZ: Thank you, Mr. President.

23 All I can tell you in response, Senator, is
24 that the Governor's representatives and his legal
25 counsel yesterday made the case, which you can judge

1 for yourself, that their map does indeed comply with
2 the Voting Rights Act and that their map complies with
3 all federal legislation, particularly with the 18th
4 Amendment.

5 The Governor's representatives have made it
6 clear that they believe that there is a conflict
7 between some parts of the Fair Districts Amendment and
8 the 18th Amendment to the Constitution. So
9 consequently, they believe that in a case like that,
10 the federal requirement or the federal statute would
11 prevail in the case of any such conflict.

12 MR. PRESIDENT: Senator Smith.

13 SENATOR SMITH: Thank you, Mr. President.

14 Thank you, President Gaetz. So that same
15 proposed Congressional District 9, it actually
16 stretches north from my Senate District 17 in Orange
17 County, including the City of Belle Island and the
18 Orlando International Airport, MCO -- we all are
19 familiar with that airport -- and Lake Nona, and then
20 it goes down south all the way through Osceola County,
21 Polk County, Highlands, Glades, and Okeechobee.

22 Do you -- President Gaetz, in your
23 expertise, do you understand why this district is
24 roughly 120 miles long from its northern and southern
25 border stretching from Orlando as far south where

1 Riviera Beach currently is in Palm Beach County?

2 Although it doesn't include Palm Beach County, it is
3 as far south as Riviera Beach.

4 MR. PRESIDENT: Senator Gaetz.

5 SENATOR GAETZ: Thank you, Mr. President.

6 If you say that it stretches a 120 miles, I
7 certainly would not dispute your statement. I have no
8 particular opinion as to whether the construction of
9 that district, as proposed by the Governor, meets
10 qualifications that you think it ought to meet.

11 All I can tell you is that the compactness
12 scores that the Governor's representatives have
13 provided indicate that their compactness scores are
14 roughly the same as those of the underlying current
15 map. I could not offer any additional information
16 beyond what the Governor's legal counsel and map
17 drawer provided on the Governor's behalf yesterday.

18 MR. PRESIDENT: Senator Smith.

19 SENATOR SMITH: Thank you, Mr. President.

20 Thank you, President Gaetz. Let me ask you
21 a question about process. Of course, I'm not a member
22 of the Rules Committee, I was there with you yesterday
23 and tried to absorb as much of the comments as I
24 could. I missed the very beginning.

25 The Governor's Office made many claims that

1 their race -- that there was a race-neutral nature of
2 their map. They claimed that they drew it in a
3 race-neutral way and that that race was not considered
4 in any way.

5 Did they make any of these claims under
6 oath? Were they required to make their statements
7 under oath in front of the Senate Rules Committee,
8 sir?

9 MR. PRESIDENT: Present Gaetz.

10 SENATOR GAETZ: Thank you, Mr. President.

11 The Governor's representatives were not
12 placed under oath.

13 MR. PRESIDENT: Senator Smith, if you could
14 just hang on one second. Appreciate that.

15 Listen, considering the development that's
16 happened here in the past few minutes, we're going to
17 take a 30-minute break so that our colleagues can
18 review the decision and adjust their questions, if
19 they would like. We're going take a 30-minute break.
20 We will be back here. Let's come back in at 11
21 o'clock. So we'll be on break.

22 (Off the record.)

23 MR. PRESIDENT: The Senate will be in order.
24 We're going to go back to questions.

25 Leader Berman, you'd be first. You're

1 recognized.

2 SENATOR BERMAN: Thank you, Mr. President.
3 And we've quite had quite the morning.

4 So we do want to focus on the Callais
5 decision. We saw that it's -- So my first question to
6 you on the Callais decision is, are you aware that the
7 Callais decision does not strike down Section 2 of the
8 Voting Rights Act?

9 MR. PRESIDENT: President Gaetz.

10 SENATOR GAETZ: Thank you, Mr. President.
11 Leader, I received at 11:19 a.m. this
12 morning a transmittal from the general counsel to the
13 Governor, and that transmittal goes to the question
14 that you're asking. And with the President's
15 permission and with your indulgence, Leader, I'll read
16 this brief transmittal from the Governor's legal
17 counsel, copies of which have already been transmitted
18 to you both in writing and also electronically.

19 And I read it -- this is the Governor's
20 legal counsel, his words:

21 "The court concluded that Louisiana's
22 creation of an additional majority-minority district
23 to comply with federal court's construction of Section
24 2 of the Voting Rights Act was an unconstitutional
25 racial gerrymander. Notwithstanding that the district

1 was created for the purpose of complying with the
2 court order, the Supreme Court held that the enactment
3 'triggered strict scrutiny because the state's
4 underlying goal was racial.' Intentional compliance
5 with the Court's demands constituted an express
6 acknowledgment that race played a role in the drawing
7 of district lines."

8 The Governor's legal counsel goes on to say:
9 Florida's intentional compliance with the
10 voting -- with the FDA would constitute such an
11 acknowledgment, and therefore, would require Florida,
12 "to satisfy the extraordinarily onerous standard of
13 proving that its use in race was narrowly tailored to
14 further a compelling government interest." As
15 explained in my transmit letter of April 27, Florida
16 cannot do so. We, therefore, continue to urge you to
17 enact the proposed congressional map transmitted
18 therewith.

19 David Axelman, General Counsel to the
20 Governor.

21 MR. PRESIDENT: Leader Berman.

22 SENATOR BERMAN: Thank you, Mr. President.
23 So does anything in what you just read state that the
24 Court is striking down Section 2 of the Voting Rights
25 Act?

1 MR. PRESIDENT: President Gaetz.

2 SENATOR GAETZ: Thank you, Mr. President.

3 Again, I'm not a lawyer. I'm reading from
4 what the general counsel has provided. And according
5 to the information that we've received, the Court has
6 concluded that Louisiana's creation of an additional
7 majority-minority district to comply with the federal
8 court construction of Section 2 of the Voting Rights
9 Act was unconstitutional and a racial gerrymander.

10 MR. PRESIDENT: Leader Berman.

11 SENATOR BERMAN: Thank you, Mr. President.
12 So I have a copy of the opinion in front of me. On
13 page -- on the third page, I guess, of the opinion,
14 the bottom of the second page, it says that we -- they
15 answered the question that compliance with Section 2
16 as properly constructed can provide such a reason.

17 Do you -- are you disagreeing with the
18 actual wording of the agreement of the opinion, where
19 it says that the Voting Rights Act can be used to
20 provide an opinion that minority districts can be
21 still upheld?

22 MR. PRESIDENT: President Gaetz.

23 SENATOR GAETZ: Thank you, Mr. President.

24 My understanding, Leader, is that what the
25 Court has said is that in order to justify a

1 racially-constructed district, there has to be a
2 compelling record of egregious racial discrimination
3 that immediately precedes and causes the construction
4 of that district.

5 And consequently, Leader, those conditions,
6 as far as I know -- and I'm not a lawyer -- would not
7 apply in the case of Florida or any Florida district
8 that is under discussion.

9 MR. PRESIDENT: Leader Berman.

10 SENATOR BERMAN: Okay, Mr. President. So I
11 think you and I are somewhat saying the same thing,
12 and that is that you still, under Callais, cannot
13 discriminate against minorities in the redistricting
14 process, and that they are laying out what the
15 requirements for strict scrutiny is in Callais. Would
16 you agree with that?

17 MR. PRESIDENT: President Gaetz.

18 SENATOR GAETZ: Thank you, Mr. President.

19 Again, I'm not a lawyer, but I would
20 particularly agree with the second part of what you
21 said, and that is that the Court has said that there
22 have to be certain conditions, in existence in order
23 to justify the creation of a district that's drawn
24 with racial intent or racial lines. And those
25 conditions are that there has to be an immediate

1 record of egregious racial discrimination that
2 precedes and provokes the necessity for the creation
3 of that district.

4 I don't believe that it goes further than
5 that. That, I believe, is the black letter of the
6 opinion.

7 MR. PRESIDENT: Leader Berman.

8 SENATOR BERMAN: So I just want to try --
9 this is very much the heart of a lot of what we're
10 doing today, so I want this to be as clear as we can
11 on this issue. So are you aware that the Supreme
12 Court in Callais held that compliance with the Voting
13 Rights Act can, in fact, be a compelling state
14 interest?

15 MR. PRESIDENT: President Gaetz.

16 SENATOR GAETZ: Thank you, Mr. President.

17 Yes, under the, strict scrutiny conditions
18 that the Court refers to, none of which apply in
19 Florida.

20 MR. PRESIDENT: Leader Berman.

21 SENATOR BERMAN: Thank you, Mr. President.

22 Does, Senator -- President Gaetz, does any
23 part of the Callais decision explicitly address the
24 legality of Florida's Fair District Amendment?

25 MR. PRESIDENT: President Gaetz.

1 SENATOR GAETZ: Thank you, Mr. President.

2 Again, not being an attorney -- let me
3 qualify what I'm about to say with that -- and say,
4 not to my knowledge. To my knowledge, the Callais
5 decision does not impact what we are, attempting to do
6 here on the floor of the Florida Senate, and it does
7 not impact the Governor's plan in any negative way.

8 MR. PRESIDENT: Leader Berman.

9 SENATOR BERMAN: Thank you, Mr. President.

10 But does it enact -- does it impact the
11 actual words of our Florida constitution under the
12 Fair Districts? Does it change the interpretation in
13 any way of the constitutional amendment?

14 MR. PRESIDENT: President Gaetz.

15 SENATOR GAETZ: Thank you, Mr. President.

16 I think now you've asked me to go deep into
17 legal analysis that's beyond my scope. I would simply
18 say that the Governor's legal counsel has rendered his
19 opinion and his description of the effect of the Clay
20 decision, which is to say that the Clay decision, if
21 anything, sets a much, much higher standard for the
22 creation of a district that is drawn with reference to
23 racial lines. A much higher standard than -- because
24 of the preconditions necessary for that standard to be
25 met, none of which apply in Florida.

1 But beyond that, Leader, I don't believe
2 that I'm competent to go as deep into the legal
3 nuances as your question would suggest.

4 MR. PRESIDENT: Leader Berman.

5 SENATOR BERMAN: Thank you, Mr. President.

6 So interesting that you said, none of which
7 apply in Florida. Have we, actually, done the deep
8 dive that we normally do with redistricting, where we
9 go around and look at maps and make decisions, or are
10 we were just given one map by the Governor without the
11 opportunity to really do a deep dive to show that
12 there is no reason why we should have certain
13 districts in Florida?

14 MR. PRESIDENT: President Gaetz.

15 SENATOR GAETZ: Thank you, Mr. President.
16 No, we did not do a series of hearings around the
17 state as we did in previous years, but I believe that
18 if you or anyone else is suggesting that the
19 conditions that would have to be precedent to the
20 drawing of a district with racial lines exist in the
21 State of Florida.

22 And remember what the Supreme Court has
23 said, there have to be, you know, an egregious
24 record -- an immediately existent, an egregious record
25 of racial discrimination that require the development

1 or use of district lines drawn with racial intent. If
2 you believe that to be the case or anyone else does, I
3 believe you have the burden of proof.

4 MR. PRESIDENT: Leader Berman?

5 SENATOR BERMAN: Thank you, Mr. President.
6 So is it your opinion that -- well, okay. Just want
7 to understand. Just want to clarify, also.

8 So you're -- based on the Callais decision,
9 you are of the opinion that the fair -- are you of the
10 opinion that we could have a statute in Florida that
11 still says you can't discriminate based on
12 partisanship?

13 MR. PRESIDENT: President Gaetz.

14 SENATOR GAETZ: Thank you, Mr. President.

15 Yes, I believe so. I believe so long as
16 that statute was written and narrowly tailored in the
17 way that the Supreme Court's decision has indicated,
18 not the way that we commonly have used racial
19 boundaries in redistricting in the State of Florida,
20 but rather, if there -- we would have to prove --
21 someone would have to lay out the proof. And that
22 proof I think is nonexistent, at least on the floor of
23 the Senate today and nowhere that I know of in the
24 State of Florida.

25 There would have to be a huge, weighty

1 amount of proof in order to meet the Supreme Court's
2 strict scrutiny standard. And if so, we ought to
3 include that in Florida statute. It's not there now.
4 We'd have to rewrite the statute.

5 MR. PRESIDENT: Leader Berman?

6 SENATOR BERMAN: Well, with respect to what
7 you just said previously about that we haven't done
8 the strict scrutiny to see if there should be a
9 minority district, don't you think that should be
10 handled on a court level also?

11 MR. PRESIDENT: President Gaetz.

12 SENATOR GAETZ: Thank you, Mr. President.

13 I'm not an officer of the court, so that's
14 beyond my competence to determine. My assumption as a
15 layman and as a citizen is, if there are lines drawn
16 and districts created in violation of what the Supreme
17 Court has said -- and that is, that in order for a
18 racially drawn district to be drawn with racial lines,
19 that there has to be these serious, egregious
20 conditions precedent -- if you or anyone else believes
21 that, the district lines have been drawn in violation
22 of now what the Supreme Court has said, and you bring
23 a case in Court, then obviously the courts would have
24 an opportunity to decide that case. Yes, ma'am.

25 MR. PRESIDENT: Leader Berman?

1 SENATOR BERMAN: Thank you, Mr. President.

2 So I do just want to go back to the Fair
3 Districts Act, our Constitution because this is so
4 important. That still the provisions in the Fair
5 District Act that apply to partisan -- to not doing
6 maps in a partisan basis are still in effect after
7 Callais.

8 MR. PRESIDENT: President Gaetz.

9 SENATOR GAETZ: Thank you, Mr. President.

10 Again, I fear that you're asking me for a
11 legal opinion that's beyond my competence, so let me
12 refer you to what the Governor's counsel said in the
13 Rules Committee. And the Governor's counsel said in
14 response, because race based provisions in Article 3,
15 Section 20 are inconsistent with federal law, the next
16 question becomes, what about the rest of Article 3,
17 Section 20? That has other things in it of the kind
18 that you describe.

19 The executive branch position on this is
20 that the rest of Article 3, Section 20 cannot be
21 saved. It is inseverable from the other provisions.
22 As you will recall, Leader, we had a robust discussion
23 in Rules yesterday about severability, and I'm not
24 sure that we came to a conclusion that entirely
25 satisfied me.

1 My own personal belief as a senator is that
2 there are many aspects of Fair Districts, particularly
3 all of the Tier Two provisions, as well as not drawing
4 districts that -- where the entire intent and purpose
5 of the district is to draw a district that has lines
6 that would promote either one political party or one
7 candidate or another, that those aspects of Fair
8 Districts ought to be saved. I would respectfully
9 take that position as a member of the Senate.

10 MR. PRESIDENT: Further questions? Senator
11 Smith.

12 SENATOR SMITH: Thank you, Mr. President,
13 and thank you, Mr. President Gaetz, for opining on
14 that.

15 I'm trying to square what you just mentioned
16 to Leader Berman in my own assessment of the bill
17 because going back to my line of questioning before, I
18 respect your experience and your leadership as someone
19 who knows redistricting very well. So I don't want to
20 belabor the point, but my question is based on your
21 opinion, then, if you could make clear for the Senate.

22 Do you buy this argument that race-based
23 requirements in the Fair Districts amendment cannot be
24 severed -- that they cannot be severed from other
25 requirements in the Fair District amendments,

1 specifically as it relates to the current prohibition
2 on partisan gerrymandering, which is the current law
3 and the current constitution that we were sworn to
4 uphold?

5 MR. PRESIDENT: Senator Gaetz.

6 SENATOR GAETZ: Thank you, Mr. President.
7 As I attempted to explain to Leader Berman a moment
8 ago, there was a lively discussion -- and I think you
9 were there; you observed it -- in the Rules Committee
10 about this very topic.

11 There were those, you know, in the room who
12 appeared to take the position that there are aspects
13 of the fair districts that could be, that are, and
14 ought to be not necessarily thrown out or excluded no
15 matter what happens with Federal Court decisions, no
16 matter what happens with this bill that's before us.

17 But the Governor's counsel has said, the
18 executive branch position is that the rest of Article
19 3, Section 20 cannot be saved, and it's inseparable.
20 I believe that that's a topic for later construction
21 by this legislature.

22 As speaking only as one senator, I believe
23 as I said to Leader Berman, that there are aspects of
24 Fair Districts that are different from --that are
25 separate issues from, you know, drawing lines with

1 racial intent and that those separate parts of the
2 Fair Districts Amendment should be and ought to be
3 contained in Florida law. And as one senator, I would
4 vote to do so.

5 MR. PRESIDENT: Senator Smith.

6 SENATOR SMITH: Thank you, Mr. President.

7 President Gaetz, so squaring that with what
8 we all heard yesterday in the Rules Committee, you
9 witnessed the same thing that I witnessed, but I just
10 want to get some clarification. The Governor's Office
11 yesterday did in fact openly admit that they did
12 consider partisan criteria in drawing this map; is
13 that correct?

14 MR. PRESIDENT: Senator Gaetz.

15 SENATOR GAETZ: Thank you, Mr. President.

16 Yes, the Governor's office indicated that,
17 the map drawer, Mr. Pareda, said on behalf of the
18 Governor that political data was used, along with all
19 other data. He stated in the Rules Committee
20 yesterday that it was not the dominant or controlling
21 data that was used, but it was used.

22 MR. PRESIDENT: Senator Smith.

23 SENATOR SMITH: Thank you, Mr. President.

24 Thank you. And yesterday, from my
25 perspective, they made a lot of stunning assertions.

1 Do you agree with the Governor's Office's repeated
2 assertions yesterday in the Rules Committee that the
3 legislature, "doesn't need to comply" with any
4 provisions of the Fair District Amendment.

5 You just said, President Gaetz, that it is a
6 topic worthy of the consideration at a future date.
7 But with all due respect, aren't we considering it
8 right now with this map that does, admittedly, include
9 partisan considerations?

10 MR. PRESIDENT: Senator Gaetz.

11 SENATOR GAETZ: Thank you, Mr. President.
12 With respect, Senator, no. First of all, I was not
13 stunned. And secondly, I believe that the Governor's
14 position is one which has been clear, and that is that
15 the Governor does not believe that racial preference
16 should be any part of the drawing of any line.

17 For the last two years, I've sat in this
18 chamber and I've listened to bill after bill,
19 amendment after amendment, speech after speech about
20 how we ought to be treating people in the State of
21 Florida based on their merit, on the quality of their
22 character, on what they do, not on the color of their
23 skin.

24 And the Governor has taken the position, in
25 my view, that that is the case in drawing lines for

1 congressional districts, just as it is in other
2 matters.

3 And so consequently, I'm not troubled by
4 that position on behalf of the Governor. I believe
5 that we can pass these maps, and we can still have a
6 belief that -- you know, some of us in the room may
7 believe that there are aspects of Fair Districts that
8 still ought to be included in Florida law.

9 And in answer to a question that I asked the
10 Governor's legal counsel yesterday, I said, do you
11 need to win that point? Do you need to win the point
12 that all of Fair District has to go in order for you
13 to prevail in your legal theory? And the answer to
14 that question, I think, was, well, no, not really.

15 MR. PRESIDENT: Senator Smith.

16 SENATOR SMITH: Thank you, Mr. President.

17 I'm also not an attorney, President Gaetz.
18 I just play one on the Florida Channel. My question
19 for you is, do you believe that by passing a map that,
20 admittedly, was drawn using partisan consideration in
21 current violation of the Fair District's Amendment to
22 Florida's Constitution, that that would be a violation
23 of the oath that we all took to uphold and defend
24 Florida's current Constitution as it is currently
25 written.

1 MR. PRESIDENT: Senator Gaetz.

2 SENATOR GAETZ: Thank you, Mr. President.

3 There's an assumption in your question. And
4 the assumption is that it would be proven that the use
5 of partisan data was a controlling factor in the
6 drawing of those lines by the Governor's map drawer.
7 I think that would have to be proven in Court. And if
8 it were proven in Court, then obviously, it would be
9 illegal in my judgment as a nonlawyer, based upon the
10 law in Florida as it exists now.

11 But that would have to be proven in Court.
12 There is no proof that I've heard or seen in the
13 presentation made in the Rules Committee yesterday or
14 in any discussion or debate on the floor today that
15 the lines that were drawn by the Governor's map drawer
16 were drawn with a controlling interest in partisan
17 gerrymandering.

18 MR. PRESIDENT: Senator Smith.

19 SENATOR SMITH: Thank you, Mr. President.

20 Thank you for the clarification, President
21 Gaetz. I want to ask you about this language, which
22 is new language to me as it relates to Article 3,
23 Section 20(a) of the Constitution that that somehow
24 the Florida Constitution only bans considering
25 partisan interests in map drawing if it's some sort of

1 prevailing or predominant consideration. That's new
2 information to me.

3 I have the Constitution in front of me, and
4 it says, no apportionment plan or individual district
5 shall be drawn with the intent to favor or disfavor a
6 political party or an incumbent. I didn't read
7 anywhere in there anything about a predominant
8 motivation or interest. I just read you the
9 black-and-white text.

10 Doesn't the constitution say we can't
11 consider partisan interest at all?

12 MR. PRESIDENT: Senator Gaetz.

13 SENATOR GAETZ: Thank you, Mr. President.

14 No, I don't think that what you read said
15 that we can't consider partisan interest at all. I
16 think what you read said that the lines cannot be
17 drawn "with the intent." And I think then -- and
18 again, you and I are not lawyers, Senator, but I would
19 guess that very sharp litigators would be determining
20 and parsing through what the intent means.

21 Does it mean that that is the controlling
22 intent? Does it mean that that is what occurred? Or
23 does that mean it was one of 15 different data points
24 that was used?

25 This is beyond my competence. Senator, I'm

1 not a lawyer, but my guess is, that if this is a ripe
2 issue -- if the ones you're raising is a ripe issue,
3 and I dare say it may be, that that'll be decided in
4 Court.

5 MR. PRESIDENT: Senator Smith.

6 SENATOR SMITH: Thank you, Mr. President.

7 So I appreciate the fact that you continue
8 to say that a court needs to decide. We don't have a
9 court order here. We just have black-and-white text
10 of the Constitution that tells us what the law is.
11 This chamber has repeatedly undergone intentional,
12 years-long efforts to engage in redistricting in a way
13 that does not consider partisanship because we have
14 respected the Constitution.

15 Suddenly, new notion that, well, maybe we
16 just can consider it after all and let the Court
17 decide is something that's new to me. Help me
18 understand. Are we simply to ignore our
19 constitutional oath just because we're persuaded by an
20 argument today, even if we don't have a court order
21 that tells us that we can ignore the Constitution?

22 MR. PRESIDENT: Senator Gaetz.

23 SENATOR GAETZ: Thank you, Mr. President.

24 No, with all respect, senator, I don't
25 believe that we are being asked to violate our oath,

1 nor are we do I believe that we are in a different
2 world with respect to the use of partisan data than
3 the world in which we have lived for the last 15 or 20
4 years in redistricting. Partisan data has always been
5 a part of or a subtext of redistricting that has
6 occurred, either in terms of its use among the many
7 data points that go into redistricting or the
8 criticism that might be made afterwards, having to do
9 with the effect of redistricting.

10 But I do not believe we've entered into any
11 kind of new troublesome era in which the maps that the
12 Governor's Office has presented to us are drawn with
13 any more partisan domination than any maps that we've
14 seen in the past.

15 MR. PRESIDENT: Senator Smith.

16 SENATOR SMITH: Thank you, Mr. President.

17 President Gaetz, I heard you this morning
18 and yesterday when you described your role in this,
19 which is, of course, as the chair of the Senate Ethics
20 and Elections Committee, you were respectfully asked
21 to file the bill and you believe the Governor -- I'm
22 paraphrasing, of course -- is constitutionally
23 entitled to be able to present a map, and, you know,
24 we're just doing him the courtesy of considering that
25 map that he has given us.

1 My question for you is, while he has that
2 authority as you have described, what is the urgent
3 need for the Florida Senate to adopt this map? Don't
4 we also have the constitutional authority as an
5 institution to consider this map and just reject it?

6 MR. PRESIDENT: Senator Gaetz.

7 SENATOR GAETZ: Thank you, Mr. President.
8 Yes.

9 MR. PRESIDENT: Senator Smith.

10 SENATOR SMITH: Thank you, Mr. President.
11 What is the urgency behind adopting this congressional
12 map in particular, especially in the context of a new
13 court decision where we do not have an updated staff
14 analysis that helps us fully understand all of the
15 implications of the ruling? What is the urgency, Mr.
16 President?

17 MR. PRESIDENT: Senator Gaetz.

18 SENATOR GAETZ: Thank you, Mr. President.

19 The Governor's legal counsel said in the
20 Rules Committee yesterday -- and I quote, The Governor
21 stated reasons for redrawing the congressional plan
22 now are twofold. One, it's to account for the greater
23 population growth between 2020 and 2025 in the
24 suburban and exurban communities throughout the state.
25 And two, it is to ensure that the state has a

1 race-neutral congressional plan.

2 MR. PRESIDENT: Senator Smith.

3 SENATOR SMITH: Thank you, Mr. President.

4 Of course, it's not a secret that it is my
5 strong belief that the actual intention for this
6 redrawing is partisan favor for the majority party.
7 But has the Governor called on the Florida legislature
8 to redraw our State Senate maps and our State House
9 maps since we have had a population change and all of
10 the things that he asserted also apply to our
11 legislative maps?

12 MR. PRESIDENT: Senator Gaetz.

13 SENATOR GAETZ: Thank you very much, Mr.
14 President.

15 No, and the reason is because the Governor
16 has a constitutional prerogative with respect to
17 congressional maps, and the Governor has no
18 constitutional prerogative with respect to State
19 Senate or State House maps.

20 MR. PRESIDENT: Senator Smith.

21 SENATOR SMITH: Thank you, Mr. President. I
22 want to make sure for the record no one gets it
23 twisted. I am not advocating us to redraw our State
24 Senate or State House maps. Just wanted to put that
25 out there.

1 However, if the legislature believes in the
2 Governor's argument that we must urgently redraw these
3 congressional maps for the stated reasons that you
4 just described, doesn't that rationale also apply to
5 our legislative maps?

6 MR. PRESIDENT: Senator Gaetz.

7 SENATOR GAETZ: Thank you, Mr. President.

8 I've not been provided, with a rationale, an
9 argument, or a plan that would support such a
10 contention.

11 MR. PRESIDENT: Senator Smith.

12 SENATOR SMITH: Thank you, Mr. President.

13 On process, was the map drawn by the map
14 makers that we heard from by hand, or did they use any
15 sort of outside algorithms that you're aware, Mr.
16 President?

17 MR. PRESIDENT: Senator Gaetz.

18 SENATOR GAETZ: Thank you, Mr. President.

19 Yesterday, the map drawer, Mr. Pareda, was
20 asked and answered on behalf of the Governor that he
21 drew the map himself, that it was a map that was drawn
22 in iterations, and that no one else drew the map. He
23 drew every single line, although he consulted with
24 legal counsel and other members of the executive
25 office of the Governor.

1 MR. PRESIDENT: Senator Smith.

2 SENATOR SMITH: Thank you, Mr. President.

3 Thank you, President Gaetz. I know that the
4 mapmaker we heard from is very talented. He's very
5 experienced. He knows very well what he's doing. Did
6 he draft any alternate maps for us to consider? And
7 if he didn't, why didn't he give us a menu of options
8 to choose from?

9 MR. PRESIDENT: Senator Gaetz.

10 SENATOR GAETZ: Thank you, Mr. President.
11 The Governor's Office and the Governor's
12 representatives did not present any map or any
13 proposal other than the one that was transmitted to
14 me, which I, in turn, had transmitted to the entire
15 Senate, which is before you now.

16 MR. PRESIDENT: Senator Smith.

17 SENATOR SMITH: Thank you, Mr. President,
18 and thank you, President Gaetz.

19 Do you -- I understand that you received the
20 transmittal of the Governor's map, and you've not been
21 involved in the process. You know, I fully understand
22 that, and I think the time stamp was 11:15 a.m.
23 yesterday morning. However, President Gaetz, do you
24 have any personal knowledge of any other map that was
25 drafted by the Governor's Office recently that was

1 shared with members of the legislature?

2 MR. PRESIDENT: Senator Gaetz.

3 SENATOR GAETZ: Thank you, Mr. President.

4 I have had no contact with anyone in the
5 Governor's Office about congressional redistricting.
6 The only communication that has occurred has been the
7 communication that occurred electronically, which I in
8 turn shared, through the President, with all members
9 of the Senate. I've had no other contact with anybody
10 in the Governor's Office about any map drawing of any
11 kind.

12 MR. PRESIDENT: Senator Smith.

13 SENATOR SMITH: Thank you, Mr. President.

14 President Gaetz, can you help us understand
15 why this specific map, this version and no other
16 version, was selected by the Governor's Office and
17 transmitted to you at 11:15 a.m. on Monday?

18 MR. PRESIDENT: Senator Gaetz.

19 SENATOR GAETZ: Thank you, Mr. President.

20 All I can do is repeat what the Governor's
21 representative said, and that is they believed that
22 the product that they provided on behalf of the
23 Governor met the standards that were necessary for
24 Congressional redistricting and met the Governor's two
25 objectives, and that was to take into account

1 population surges and also to ensure that there would
2 be no lines drawn with racial intent. Beyond that, I
3 certainly can't comment on what else Governor's
4 Office, may have done or thought about.

5 MR. PRESIDENT: Senator Smith.

6 SENATOR SMITH: Thank you, Mr. President. I
7 know that very famously, Governor first shared this
8 map with Fox News before it was shared with the Office
9 of the Senate President and before it was shared with
10 your office, President Gaetz.

11 And the map that was shared with Fox News is
12 not what was transmitted to us. It was a color coded
13 red and blue map to detail how red performing this map
14 is.

15 Are you aware of any other map that maybe
16 has been provided to the Senate or that has been
17 provided to other media outlets that shows us where
18 the incumbent members of Congress in Florida live in
19 these districts and whether any of them were drawn out
20 of their districts?

21 MR. PRESIDENT: Senator Gaetz.

22 SENATOR GAETZ: Thank you, Mr. President.
23 Let me repeat what I said before, Senator. And that
24 is I have no knowledge of any map or any map drawing,
25 or any work in drawing maps other than what was

1 transmitted to me, which I, in turn, through the
2 President, hand transmitted to all members of the
3 Senate. And so, therefore, the answer to your
4 question is no.

5 MR. PRESIDENT: Senator Smith.

6 SENATOR SMITH: Thank you, President Gaetz.

7 MR. PRESIDENT: Additional questions.

8 Senator Polsky.

9 SENATOR POLSKY: Thank you, Mr. President.

10 Just one more question on the severability so we can
11 be totally clear. Are you aware that the non-
12 severability argument has not been adopted by any
13 court?

14 MR. PRESIDENT: Senator Gaetz.

15 SENATOR GAETZ: Thank you, Mr. President. I
16 am not aware of any court's action with respect to
17 severability as to this matter.

18 MR. PRESIDENT: Senator Polsky.

19 SENATOR POLSKY: Thank you, Mr. President.

20 You mentioned just before that Governor said one of
21 the reasons for making this map are population surges.
22 What data are those population surges based on, and
23 how were they used to create this map?

24 MR. PRESIDENT: Senator Gaetz.

25 SENATOR GAETZ: Thank you, Mr. President.

1 Senator, I can refer to Mr. Pareda on behalf of
2 Governor and his comments at the Rules Committee
3 yesterday. And I believe that his comments are
4 responsive to your question.

5 Mr. Pareda said that the Office of Economic
6 Research and Demographic Research, through the use of
7 the American Community Survey, which is a rolling
8 sample provided by the US Census Bureau, where they
9 sample 1 to 3 percent of the US population every year,
10 was used by the map drawers in the creation of their
11 map.

12 The Governor's representative went on to say
13 that based upon that analysis, Florida gained
14 approximately 9 percent of our population over the
15 last five years, 9 percent increase over five years,
16 which translates to just over 1,800,000 people on top
17 of what we already had in 2020.

18 MR. PRESIDENT: Senator Polsky.

19 SENATOR POLSKY: Thank you. I've heard it
20 said by various people that Florida was gypped in the
21 last Census, meaning that we should have had one more
22 additional Congressional seat. Obviously, this map
23 does not do that. It changes the formation of the map
24 within our 28 Congressional seats. So how does this
25 population data rearrange the citizens so that they

1 are more fairly distributed?

2 MR. PRESIDENT: Senator Gaetz.

3 SENATOR GAETZ: Thank you, Mr. President.
4 Senator Polsky, you're exactly right. And that is
5 that the Governor's proposal does not provide for an
6 additional Congressional seat for the State of
7 Florida. That's beyond the purview and jurisdiction
8 of Governor and the legislature of the State of
9 Florida.

10 That's a determination based on the Census,
11 and the Census showing, in the division of 435 members
12 of Congress, how many members of Congress would be
13 assigned to each state.

14 And there are those who believe that we
15 should have had an additional member of Congress
16 assigned to us based on the 2020 Census. I'm not a
17 demographer, and so consequently, I don't have an
18 opinion about that.

19 Obviously, as a citizen, it would be nice if
20 Florida had more representatives in Congress, but I
21 believe that that has to be the function of the
22 Census, not a function of my opinion.

23 MR. PRESIDENT: Senator Polsky.

24 SENATOR POLSKY: Thank you. But how does
25 the data that you referred to before affect how these

1 districts have been changed by this map? In other
2 words, what does it have to do with dividing the city
3 of Tampa into three sections? What is it the data
4 have to do with making a sea from Palm Beach County
5 from the Atlantic Ocean to the Gulf Of Mexico? What
6 how does that happen?

7 Where is that data to prove that those
8 districts are more correctly distributed?

9 MR. PRESIDENT: Senator Gaetz.

10 SENATOR GAETZ: Thank you, Mr. President.
11 The representatives of the Governor have indicated
12 that the maps that they have presented to us are based
13 on the 2020 Census, and they also have used
14 information from the Office of Economic Research,
15 Office of Economic and Demographic Research, through
16 the American Community Survey, which is a rolling
17 sample by the US Census Bureau. And as provided to us
18 by Mr. Pareda at the Rules Committee yesterday, Mr.
19 Pareda said that changing populations are based on
20 EDR's estimate.

21 We cannot assign them to Census blocks or
22 equalized population based on those estimates, but,
23 and these are his words, on behalf of Governor, we can
24 certainly know which counties are growing faster than
25 others, which counties are growing faster than the

1 state average or slower than the state average, and
2 then account for those in the orientation of the
3 district so that those populations can be accounted
4 for.

5 MR. PRESIDENT: Senator Polsky.

6 SENATOR POLSKY: Thank you, Mr. President.
7 So the Census that was initiated by Trump in 2020 and
8 was monitored by this current governor between 2020
9 and 2022 to create the map that he gave us in 2022
10 based on that Census data, he believes now, five years
11 later, six years later, is incorrect. Is that true?

12 MR. PRESIDENT: Senator Gaetz.

13 SENATOR GAETZ: Thank you, Mr. President.
14 With respect, Senator Polsky, I don't believe that
15 President Trump initiated this 2020 Census. I think
16 the 2020 Census was going to occur no matter who is
17 President of The United States.

18 And secondly, what Governor's
19 representatives have said is that since 2020, there
20 has been a 9 percent increase in the population of the
21 State of Florida. That's 1,800,000 more people.

22 And that that constitutes, with EDR's
23 analysis of that research and which counties are
24 growing, which counties are growing faster than other
25 counties, that provides them the basis then for making

1 the map determinations that they have made.

2 MR. PRESIDENT: Senator Polsky.

3 SENATOR POLSKY: Thank you, Mr. President.

4 So that additional 1,800,000 people, are they all --
5 well, first of all, we weren't supposed to use
6 partisan data. But if we are, and he admitted to
7 that, are they all Republican? Why is the map so red,
8 especially the one that was sent to Fox News?

9 MR. PRESIDENT: Senator Gaetz.

10 SENATOR GAETZ: Thank you, Mr. President.

11 In my dreams, they would all be Republicans, but I
12 don't believe that that is the case. The map that was
13 sent to Fox was not sent by me. When we asked
14 Governor's representatives and the Rules Committee
15 yesterday where that map came from that was sent to
16 Fox, they said they didn't know. They said they
17 didn't send it.

18 And therefore, I only know what they said,
19 with respect to what they said they didn't do. All I
20 can tell you is that I had nothing to do with sending
21 a map to Fox.

22 Let me go, however, one step further. It is
23 not unprecedented that chief executives, when they are
24 auditioning a new public policy, go to the public or
25 go to the media before they go to the legislative

1 body. This occurs with presidents of the United
2 States, with governors, with mayors.

3 The chief executives will say, this is what
4 I'm thinking about doing, and they audition it through
5 leaks to the media or through actual presentations to
6 the media or actual tours around the state or tours
7 around the country saying this is what I'm about to
8 do, and then they submit the bill. That happens.

9 And I know that we would like, as
10 legislators, to be the very first ones who are told,
11 what Governor or the President or the Mayor want to
12 do. And we perhaps get our noses out of joint,
13 speaking only for myself, if I'm not the first one to
14 be told.

15 The fact is that chief executives do that
16 all the time. I have no idea how Fox News got that
17 map, but regardless of how they got that map, it is
18 certainly within Governor's prerogative to audition
19 his public policy initiatives in any way he wants to
20 and then come with a piece of legislation to the
21 Florida legislature.

22 MR. PRESIDENT: Senator Polsky.

23 SENATOR POLSKY: Thank you. That actually
24 wasn't my question. I just was pointing out how the
25 map turned out.

1 So if population growth is neutral as far as
2 registration goes, why does this map that this
3 governor put out, our only map that we could consider,
4 why does it favor Republicans so much and so out of
5 sync with voter registration numbers, which would have
6 given -- should have given Democrats even potentially
7 more seats than they currently have based on
8 registration numbers?

9 MR. PRESIDENT: Senator Gaetz.

10 SENATOR GAETZ: Thank you, Mr. President.
11 Senator Polsky, and I say this most respectfully, I
12 didn't draw the map. I didn't draw the map that was
13 colored red. I didn't see that until it was on Fox
14 News. And so I have no idea why it was done that way
15 or what the intent was if there was an intent.

16 And so, therefore, I can't improve upon my
17 answer to that question.

18 MR. PRESIDENT: Senator Polsky.

19 SENATOR POLSKY: I'm not asking about --
20 thank you, Mr. President. I'm not asking about the
21 map that was sent to Fox News. I'm asking about the
22 map that we are voting on before us. If it is
23 supposed to be a change from the map that this
24 governor gave us in 2022 because of certain population
25 growth, that's the justification, why is it so out of

1 sync with our voter registration numbers?

2 MR. PRESIDENT: Senator Gaetz.

3 SENATOR GAETZ: Thank you, Mr. President. I
4 don't know that it is. The 1,800,000 new people who
5 moved to Florida in the last five years, I don't know
6 what their voter registration is. I suspect that
7 information could be obtained. I don't know the
8 answer to that question.

9 And so therefore, I don't know why, other
10 than, you know, some sort of an analysis that you or
11 anyone else might conclude that that gives Republicans
12 an advantage or a disadvantage. I'm not sure that it
13 does. I'm not sure that this map necessarily gives
14 Republicans an advantage.

15 MR. PRESIDENT: Senator Polsky.

16 SENATOR POLSKY: Thank you, Mr. President.
17 If you believe and the Governor's Office believes that
18 this map does not violate the Fair Districts Amendment
19 that was passed overwhelmingly by the voters, what
20 would be an example of something that would violate
21 the Fair Districts Amendment?

22 MR. PRESIDENT: Senator Gaetz.

23 SENATOR GAETZ: Thank you, Mr. President.
24 What I believe is probably inconsequential to this
25 debate. What the Governor believes, and I'm quoting

1 from Governor's legal counsel, in his remarks to the
2 Rules Committee yesterday, because race based
3 provisions in Article 3, Section 20 are inconsistent
4 with federal law, the next question becomes, what
5 about the rest of Article 3, Section 20? The
6 executive branch position on this is that the rest of
7 Article 3, Section 20 cannot be saved. It is
8 inseparable from the other provisions. We've talked
9 about severability.

10 If you're asking me as a layman, what, you
11 know, what violation of the Fair Districts or what
12 action with respect to the Fair Districts Amendment
13 could be considered a violation other than using race
14 as a dominant reason for drawing lines, obviously, it
15 would be, you know, creating districts that look like
16 Rorschach blots on the map, which has occurred
17 sometimes in the past in Florida and in other states.

18 I believe the lack of compactness -- there
19 was a lack of compactness. That would be a reason why
20 the Fair Districts Amendment, assuming part of it
21 could still be retained in law, and I believe it can
22 be, might be violated.

23 And that's why I'm comforted by Governor's
24 map drawer indicating that, in the compactness
25 scoring, the compactness scoring for the maps

1 presented by Governor is the same in compactness as
2 the underlying map that we have right now.

3 MR. PRESIDENT: Senator Polsky.

4 SENATOR POLSKY: Thank you, Mr. President.
5 With respect to compactness, I'm thinking of a
6 district that was drawn that goes from Miami through
7 Broward up to Palm Beach along the coast. That has
8 not been the current state of the -- of that sort of
9 district.

10 Three very large counties, very dense, very
11 urban, that would cause a particular Congressperson to
12 have, you know, much huger area to represent. So you
13 may say the compactness numbers are the same, but
14 there are no districts like that now.

15 There's no districts that go from the East
16 Coast to the West Coast. So how is that compact? How
17 does that -- how is that similar communities? How
18 does that even make sense for a Congressperson to
19 represent their area fairly?

20 MR. PRESIDENT: Senator Gaetz.

21 SENATOR GAETZ: Thank you, Mr. President.
22 That's a question that should be presented to
23 Governor's map drawers because it is a technical
24 question as to why they drew lines in a particular way
25 and how the drawing of those lines figure into the

1 calculus that Governor's Office uses when they make
2 the evidence claim that the compactness overall of the
3 map is the same as the compactness of the underlying
4 map, the one that we have right now.

5 But I can't answer the question with respect
6 to a specific district because I didn't draw the
7 lines.

8 MR. PRESIDENT: Additional questions.
9 Senator Arrington, questions.

10 SENATOR ARRINGTON: Thank you, Mr.
11 President, and good afternoon, President Gaetz. Just
12 a follow-up kind of on a question that Senator Polsky
13 had just asked a few moments ago about the partisan
14 information being used to draw the maps.

15 So approximately and we had talked about
16 what maybe that data is. Approximately 41 percent of
17 Florida's registered voters are Republicans, yet the
18 map that we are voting on today creates 24 out of the
19 28 districts to be Republican leaning. Do you believe
20 that outcome is consistent with the Fair Districts
21 Amendment?

22 MR. PRESIDENT: Senator Gaetz.

23 SENATOR GAETZ: Thank you, Mr. President.
24 With very clear and due respect to my friend and
25 colleague, Senator Pizzo, I believe that a minority

1 can be a majority.

2 I think that if you have 41 percent of the
3 population who all are members of one political party,
4 and then you have the rest of the population divided
5 up among several different political initiatives or
6 political parties, that that minority can be a
7 majority because it becomes the plurality. It becomes
8 the dominant feature because not all of the other
9 minority-minority parties or constituencies all vote
10 the same way.

11 If they did, then I think your question
12 would be much more poignant. But the answer to the
13 question is I see no particular problem in 41 percent
14 of the people of Florida being able to elect members
15 of Congress, so long as they represent the majority of
16 the individuals who show up at the polls and vote in
17 those elections.

18 MR. PRESIDENT: Senator Arrington.

19 SENATOR ARRINGTON: Thank you, Mr.
20 President. And thank you for that answer, President
21 Gaetz. And I don't want to put words in your mouth,
22 but in my understanding from what you've said
23 previously that it's your assumption that the
24 legislature or the Governor can redraw maps at any
25 point.

1 MR. PRESIDENT: Senator Gaetz.

2 SENATOR GAETZ: Thank you, Mr. President.

3 No. I would certainly not think so. I would think
4 that in order for the Governor, or for any member of
5 the legislature to propose a Congressional
6 redistricting, that there would have to be reasons
7 why. There would have to be a rationale for why to do
8 it.

9 It could not be done flippantly or just any
10 day of the week. I believe the Governor has provided
11 what he considers to be an appropriate, and he said,
12 compelling rationale for why to do it now. And one is
13 to deal with the disproportionate of population surges
14 in the State of Florida and the resulting inequity in
15 terms of one person, one vote. And secondly, to
16 ensure that no lines are drawn with a racial bias.

17 MR. PRESIDENT: Senator Arrington.

18 SENATOR ARRINGTON: Thank you, Mr.
19 President. And President Gaetz, you mentioned
20 earlier, I believe, four times you mentioned that
21 we've done mid,-decade redistricting. But I don't
22 know if we've dialed in on the reasons for those other
23 ones. Have any of those been because the Governor or
24 the legislature has called for that?

25 MR. PRESIDENT: Senator Gaetz.

1 SENATOR GAETZ: Thank you, Mr. President.
2 No. And that's why, as I have described those four
3 mid-decade redistrictings, I've said they have been
4 done for other reasons. And the reasons in the case
5 of those four have been court actions.

6 Similarly, or, you know, in the same
7 context, you have seven states other than Florida that
8 have already done mid-decade redistricting, and their
9 mid-decade redistricting, say that quickly, have been
10 done for various reasons. There've been various
11 provocations in those states.

12 But in answer to your question, to my
13 knowledge, there's been no gubernatorial initiative,
14 in the case of the four prior, mid-decade
15 redistricting in the State of Florida.

16 MR. PRESIDENT: Senator Arrington.

17 SENATOR ARRINGTON: Thank you, Mr.
18 President. That is a mouthful. I'm having a hard
19 time even saying that myself. My last question for
20 you, President Gaetz, we heard yesterday, Governor's
21 Office, executive staff were around or were present
22 for the map drawing. We didn't get answers on who
23 those folks were.

24 Do you know or have you heard of any
25 external consultants that were used for the map

1 drawing? And if so, who they were and how they were
2 paid?

3 MR. PRESIDENT: Senator Gaetz.

4 SENATOR GAETZ: Thank you, Mr. President.
5 That question was asked yesterday of the
6 representatives of the Governor, and Mr. Pareda
7 answered on behalf of the Governor, saying that there
8 were no outside consultants used, and that the only
9 individuals who he used, other than himself, were
10 legal counsel in the Office of the Governor and
11 certain members of the Governor's executive staff who
12 he declined to name.

13 MR. PRESIDENT: Additional questions.
14 Senator Bracy Davis, questions.

15 SENATOR BRACY DAVIS: Thank you, Mr.
16 President. Senator Gaetz, so yesterday, I believe you
17 talked about when you received the maps on Monday at
18 11:15. And thank you, by the way, because I think you
19 mentioned that as soon as you got it, you forwarded it
20 on to the legislature, and you got it out of your
21 hands and into our hands.

22 But just want to make sure, for clarity
23 purposes, the map that you received was not color
24 coded, or was the map color coded that you received?

25 MR. PRESIDENT: Senator Gaetz.

1 SENATOR GAETZ: Thank you, Mr. President.
2 The map that I received is the same map that you
3 received. There were no other codes or colors other
4 than the maps that I received, which were exactly the
5 ones that I forwarded on to you.

6 MR. PRESIDENT: Additional questions.
7 Senator Bracy Davis.

8 SENATOR BRACY DAVIS: Thank you. And I have
9 tried really hard to mark off the questions that
10 you've already answered, but I may have missed some
11 things. So forgive me on that. Offer some grace.

12 The email from Mr. Axleman to President
13 Gaetz said the proposed redistricting plan is race
14 neutral, complies with the US Constitution, allocates
15 equal protection, and compact and contiguous.

16 That statement specifically omitted
17 compliance with the Florida constitution. Is this an
18 admission that the proposed plan violates the State
19 Constitution?

20 MR. PRESIDENT: Senator Gaetz.

21 SENATOR GAETZ: Thank you, Mr. President.
22 No. Rather, the Governor's legal theory is that the
23 Fair Districts Amendment violates the federal
24 Constitution.

25 MR. PRESIDENT: Senator Bracy Davis.

1 SENATOR BRACY DAVIS: Thank you. Thank you.
2 Thank you, Mr. President. Did you, yourself, or the
3 staff analyze partisan performance metrics when
4 drawing these lines?

5 MR. PRESIDENT: Senator Gaetz.

6 SENATOR GAETZ: Thank you, Mr. President.
7 Since I drew no lines, the answer to the question is
8 no.

9 MR. PRESIDENT: Senator Bracy Davis.

10 SENATOR BRACY DAVIS: Fair answer. Thank
11 you, Mr. President. Did your staff analyze partisan
12 performance metrics?

13 MR. PRESIDENT: Senator Gaetz.

14 SENATOR GAETZ: Thank you, Mr. President.
15 No.

16 MR. PRESIDENT: Senator Bracy Davis.

17 SENATOR BRACY DAVIS: Thank you, Mr.
18 President. What specific safeguards did the mapmaker
19 implement to avoid repeating violations of partisan
20 intent? Thinking about the case in the League of
21 Women Voters versus Detzner.

22 MR. PRESIDENT: Senator Gaetz.

23 SENATOR GAETZ: Thank you, Mr. President. I
24 apologize. I don't know. You would have to ask the
25 mapmaker or the Governor's Office that question as to

1 what safeguards they may have had in mind as they were
2 drawing the maps.

3 MR. PRESIDENT: Senator Bracy Davis.

4 SENATOR BRACY DAVIS: Thank you. Thank you,
5 Mr. President. Do you know if there were any
6 safeguards? Do you know that they considered any
7 safeguards?

8 MR. PRESIDENT: Senator Gaetz.

9 SENATOR GAETZ: Thank you, Mr. President.
10 All I know is what the rest of us know. My entire
11 knowledge of the map making process, what was in the
12 maps, and why they were there, and the occasion for
13 the maps was contained in the Governor's presentation
14 before the Rules Committee yesterday.

15 MR. PRESIDENT: Senator Bracy Davis.

16 SENATOR BRACY DAVIS: Thank you, Mr.
17 President. As the sponsor of this bill, did you
18 obtain a formal legal opinion affirming this map and
19 affirming that it meets the Florida Supreme Court
20 standards?

21 MR. PRESIDENT: Senator Gaetz.

22 SENATOR GAETZ: Thank you, Mr. President.
23 No. I've received no legal opinion other than the
24 opinions that I have shared with you.

25 MR. PRESIDENT: Senator Bracy Davis.

1 SENATOR BRACY DAVIS: Thank you, Mr.
2 President. How does this map preserve communities of
3 interest rather than fragmenting them from political
4 outcomes?

5 MR. PRESIDENT: Senator Gaetz.

6 SENATOR GAETZ: Thank you, Mr. President.
7 The whole notion of communities of interest is a -- is
8 an interesting topic. It's one that I was involved in
9 debating years ago in the -- following the 2010
10 Census. And I can tell you that we lost that
11 argument.

12 We had, you know, much advocacy in favor of
13 communities of interest, particularly, I can think,
14 for example, of the Panhandle, where I live. And we
15 lost that argument, because it was deemed more
16 important that we follow the Fair Districts Amendment.

17 The Fair Districts Amendment, in this
18 respect, was more concerned with compactness than it
19 was concerned with communities of interest.
20 Communities of interest, for example, in the Panhandle
21 may run along the coastline for 100 miles or more.

22 And there was at one point State Senate
23 district that I represented that ran all the way from
24 Pensacola to Panama City and beyond all the way to the
25 Gulf County line.

1 But it was determined that districts like
2 that, notwithstanding the fact that they were arguably
3 communities of interest, could not be sustained under
4 the Fair Districts Amendment, which required
5 compactness.

6 MR. PRESIDENT: Senator Bracy Davis.

7 SENATOR BRACY DAVIS: Thank you. Which
8 leads me to my next line of questioning. You brought
9 me right to it, which is compactness. So just based
10 on your last answer, you are aware that the Fair
11 Districts Amendment requires Congressional districts
12 to be compact and to utilize existing political and
13 geographical boundaries where feasible.

14 MR. PRESIDENT: Senator Gaetz.

15 SENATOR GAETZ: Thank you, Mr. President.
16 Yes. And the mapmakers on behalf of the Governor have
17 indicated that they believe that they have done so and
18 have provided a comparative analysis of their
19 compactness -- of the compactness of the districts
20 drawn by the Governor's Office, compared to the
21 compactness calculus under the existing maps that we
22 operate now. And the testimony of the Governor's
23 Office yesterday was that they were the same calculus
24 of compactness.

25 MR. PRESIDENT: Senator Bracy Davis.

1 SENATOR BRACY DAVIS: Thank you, Mr.
2 President. I want to clarify what you just said,
3 because you -- I want to clarify what you just said by
4 way of an answer. Have you reviewed any analysis
5 comparing the compactness scores of 2026 plan
6 districts to those of the existing 2022 plan?

7 MR. PRESIDENT: Senator Gaetz.

8 SENATOR GAETZ: Thank you, Mr. President. I
9 have not done any analysis of compactness. I simply
10 am referring you to the testimony that was given by
11 the Governor's Office yesterday.

12 MR. PRESIDENT: Senator Bracy Davis.

13 SENATOR BRACY DAVIS: So thank you, Mr.
14 President. So with that, I can assume that you are
15 not aware that the 2026 plan is less compact than the
16 2022 plan.

17 MR. PRESIDENT: Senator Gaetz.

18 SENATOR GAETZ: Thank you, Mr. President. I
19 do not assume that and could not conclude that. Based
20 on the information provided by the Governor's Office
21 and their comparison of the scores, the compacted
22 scores as being consistent between the existing
23 underlying plan and the plan that they have presented,
24 that would suggest to me that the only evidence before
25 us is the evidence that indicates that the compactness

1 scores are the same or similar, not that they are
2 different.

3 MR. PRESIDENT: Additional questions.
4 Senator Bernard, any questions?

5 SENATOR BERNARD: Thank you, Mr. President.
6 Senator Gaetz, you had mentioned in the Governor's
7 letter that he had decided to do this map based on the
8 population increase of 1,800,000 voters. Senator
9 Gaetz, is this map based on the population increase,
10 or is it based on the 2020 census?

11 MR. PRESIDENT: Senator Gaetz.

12 SENATOR GAETZ: Thank you, Mr. President.
13 My understanding based on the testimony from the
14 Governor's mapmaker and legal counsel is that the
15 underlying numbers that were used for the 2020 census.

16 However, the United States Census Bureau
17 does a running three-year analysis, which I referenced
18 from testimony that was given by the Governor's
19 mapmaker yesterday, that that data was used in
20 connection with the Florida EDR analysis that showed
21 which counties were growing faster, which ones were
22 growing slower, and that that information was used by
23 the Governor's mapmakers.

24 MR. PRESIDENT: Senator Bernard.

25 SENATOR BERNARD: Thank you, Mr. President.

1 You know, I wasn't on the Rules Committee, so I
2 couldn't ask any questions to the Governor's mapmaker.
3 Do we have the data from the mapmaker in terms of what
4 he used from the ACS survey or the EDR? You know, so
5 that way we can look at what he compared it to do
6 these maps.

7 MR. PRESIDENT: Senator Gaetz.

8 SENATOR GAETZ: Thank you, Mr. President.
9 All we have, all I have is the testimony that was
10 provided by the Governor's representatives in the
11 Rules Committee yesterday and in the transmittals that
12 I've received and supplied directly to you in their
13 entirety.

14 MR. PRESIDENT: Additional questions.
15 Senator Bernard.

16 SENATOR BERNARD: So how would we get the
17 data from the Governor's Office to know exactly how he
18 add additional residents to these districts?

19 MR. PRESIDENT: Senator Gaetz.

20 SENATOR GAETZ: Thank you, Mr. President.
21 If you are asking about the -- and I believe you
22 are -- a technical question about how the population
23 estimates were used and how the information about
24 additional population are coming in, in the last five
25 years, were distributed, one would have to ask the

1 Governor's Office that question.

2 I realize that you were not on the Rules
3 Committee, but, you know, all I can say is in cases
4 like this, we, as Senators, are very helpful to one
5 another, and we are often asked if we serve on a
6 committee and another Senator doesn't, we are often
7 asked, please, when this matter comes up, would you
8 ask this question and get the answer on the record? I
9 apologize to you if that was a question that you
10 wanted on the record. I would have asked it on your
11 behalf.

12 MR. PRESIDENT: Senator Bernard.

13 SENATOR BERNARD: Last question, Mr.
14 President. Do we know if he used the partisan data to
15 add the ACS information or the EDR information with
16 the map that he drew?

17 MR. PRESIDENT: Senator Gaetz.

18 SENATOR GAETZ: Thank you, Mr. President.
19 And I apologize, Senator Bernard. But all I know
20 about what the Governor's Office and their mapmaker
21 used in developing these maps was what was provided in
22 the Rules Committee yesterday.

23 And my understanding and recollection and
24 written record of what the Governor's representative
25 said was that, yes, they used political data like all

1 map making or nearly all map making for the last 20
2 years has done, but that it was not a dominant feature
3 in what they used. It was simply one more data point
4 among many.

5 That was their testimony, and that is all
6 the information I have.

7 MR. PRESIDENT: Additional questions.
8 Senator Nathan, welcome. You are recognized, sir.

9 SENATOR NATHAN: Thank you, Mr. President.
10 Thank you, President Gaetz, for your time. Did any
11 legislator draw a single line for any district in this
12 map?

13 MR. PRESIDENT: Senator Gaetz.

14 SENATOR GAETZ: Thank you, Mr. President,
15 and welcome to the Senate, Senator Nathan. It's good
16 to see you here, and we welcome your questions, and we
17 welcome your debate and your involvement in this and
18 all issues. The answer to your question as far as I
19 know is no.

20 MR. PRESIDENT: Senator Nathan.

21 SENATOR NATHAN: Thank you, Mr. President.
22 Thank you, President Gaetz. Did any legislator come
23 up with any of the ideas expressed in the plan we're
24 about to vote on?

25 MR. PRESIDENT: Senator Gaetz.

1 SENATOR GAETZ: Thank you, Mr. President.
2 To the best of my knowledge, no. I certainly didn't.

3 MR. PRESIDENT: Senator Nathan.

4 SENATOR NATHAN: Thank you, Mr. President.
5 Is it correct that the Governor's Office is the sole
6 map drawer for this map?

7 MR. PRESIDENT: Senator Gaetz.

8 SENATOR GAETZ: Thank you, Mr. President.
9 The Governor's Office presented the map, and the
10 Governor's Office representative, Mr. Pareda,
11 indicated that he drew the map and that he alone drew
12 the map, although he consulted with legal counsel and
13 members of the executive staff of the Governor's
14 Office.

15 And as I explained previously, the Governor
16 has a Constitutional role in Congressional,
17 redistricting, and so it is entirely within the
18 Governor's prerogative to draw a map and present it to the
19 Legislature for us to consider.

20 MR. PRESIDENT: Senator Nathan.

21 SENATOR NATHAN: Thank you, Mr. President.
22 Thank you, President Gaetz. So am I correct to
23 understand that the Governor's Office made every
24 policy decision in this plan?

25 MR. PRESIDENT: Senator Gaetz.

1 SENATOR GAETZ: Thank you, Mr. President.
2 All I can tell you is that the Governor's Office is
3 the only source of information about this map and
4 about the Governor's accompanying documents with the
5 map as far as I know.

6 I have no idea beyond that other than what
7 we received in the Rules Committee and what we
8 received in electronic transmittals, which I, in turn,
9 forwarded it to you.

10 MR. PRESIDENT: Senator Gaetz.

11 SENATOR NATHAN: Thank you, Mr. President.
12 So the Governor's Office made every choice on how
13 Floridians are to be represented if these maps become
14 law?

15 MR. PRESIDENT: Senator Gaetz.

16 SENATOR GAETZ: Thank you, Mr. President.
17 Whoever draws maps is making choices. And in this
18 case, the Governor's Office drew maps and are
19 presenting them to the Senate.

20 We have a process here that would have
21 allowed any member of the Florida Senate to offer
22 amendments. If you believe that there was something
23 wrong with any of the maps, you believe that it should
24 have been done a different way or the choices were
25 made wrong, you could have offered an amendment. No

1 amendments were offered.

2 MR. PRESIDENT: Senator Nathan.

3 SENATOR NATHAN: So how many individuals in
4 the Governor's Office were making these decisions
5 about representation, and how many of these people
6 were elected by the residents of Florida?

7 MR. PRESIDENT: Senator Gaetz.

8 SENATOR GAETZ: Thank you, Mr. President. I
9 don't know.

10 MR. PRESIDENT: Senator Nathan.

11 SENATOR NATHAN: So to be clear, the
12 legislature is totally deferring to the Governor's
13 Office for Congressional representation. Is that
14 correct?

15 MR. PRESIDENT: Senator Gaetz.

16 SENATOR GAETZ: Thank you, Mr. President.
17 Absolutely not. The Governor proposes. The
18 Legislature disposes. The Governor has done his part.

19 He has used his prerogative as governor to
20 propose a map, and he has provided his rationale for
21 that map. It is now in our hands, and we have the
22 authority to accept it, to reject it, or to amend it.
23 It is not the Governor's prerogative as to what the
24 maps will be. It is ours now because the Governor's
25 proposal is in our hands to dispose of by majority

1 vote of this chamber.

2 MR. PRESIDENT: Additional questions.
3 Senator Nathan.

4 SENATOR NATHAN: Last question. Thank you,
5 Mr. President. So this is the Governor's plan, and we
6 are being asked to follow along. Is that correct?

7 MR. PRESIDENT: Senator Gaetz.

8 SENATOR GAETZ: Thank you, Mr. President.
9 This is the Governor's proposal. The Governor makes
10 proposals about many things. Many general bills are
11 proposed by the Governor, and we approve them, we vote
12 them down, we amend them, we lay them aside. We take
13 various actions through the legislative session. This
14 is one more general bill that's proposed by the
15 Governor, and we can dispose of it with the will of
16 the Senate and House of Representatives.

17 MR. PRESIDENT: Additional questions.
18 Senator Davis.

19 SENATOR DAVIS: Thank you, Mr. President.
20 Senator, we talked about the compactness. You talked
21 about that a little bit. And I'm just going to say
22 this. Do you feel like you're at a disadvantage
23 having to defend this map?

24 MR. PRESIDENT: Senator Gaetz.

25 SENATOR GAETZ: Thank you, Mr. President.

1 I'm not defending this map. I'm transmitting this map
2 and explaining the Governor's proposal as it was laid
3 out to us in transmittals and also at the Rules
4 Committee.

5 MR. PRESIDENT: Senator Davis.

6 SENATOR DAVIS: Thank you, Mr. President.
7 So you're not defending. You're dealing with the
8 transmittal. You talked over and over again about
9 compactness, how this is equal to what was presented
10 in the current map. And we all know, if you've paid
11 any attention to this, that this map and the
12 compactness scores that are used during redistricting,
13 the Reock score, the Polsby-Popper score, and it's one
14 other that I can't think of right now --

15 This map that the Governor has presented to
16 us have lower scores. The gentleman, Robert Popper,
17 which I talked about in committee, actually testified
18 on behalf of the Governor's Office at one time to talk
19 about his criteria and compactness scores.

20 His scores, this map that we're looking at,
21 those three criteria that I just talked about, the
22 Reock score, the Polsby-Popper score, is lower.

23 So how do you keep saying that what we've
24 been presented from the Governor's Office is about the
25 same?

1 MR. PRESIDENT: Senator Gaetz.

2 SENATOR GAETZ: Thank you, Mr. President. I
3 refer you to Mr. Pareda's remarks before the Rules
4 Committee in which he said the smallest circle that
5 can fit around a district, the average score for the
6 28 districts in this map is 0.46, which is consistent
7 with the benchmark map. It is the same with the
8 Polsby-Popper score and the Reock score. That is the
9 testimony of the Governor's Office.

10 MR. PRESIDENT: Senator Davis.

11 SENATOR DAVIS: Thank you, Mr. President.
12 And what we've identified is and you said .46,
13 actually, by the way of the 2026. And that's why I
14 questioned Mr. Pareda. Because in '22, 2022, the
15 Reock score was .47, and the Polsby-Popper score was
16 .43. In the '26 map, the Reock score is .46 as you
17 stated, but the Polsby-Popper score is .41.

18 Again, it feels like you're at a
19 disadvantage with this transmittal and trying to
20 explain how we are here dealing with the map that has
21 lower compactness scores than what we already have
22 currently. And how is that good for Floridians?

23 MR. PRESIDENT: Senator Gaetz.

24 SENATOR GAETZ: Thank you, Mr. President. I
25 apologize if I appear to be at a disadvantage. All

1 I've ever wanted in my life is a fair advantage. But
2 I will tell you this, I do not make the claim that we
3 have lower compactness scores presented to us by the
4 Governor in his map than exists now.

5 All I am doing is reporting to you and
6 repeating what the Governor's representative said, who
7 indicated that the average score for the 28 districts
8 in the Governor's map is point -- is I'm sorry, is
9 0.46, which is consistent with the benchmark map.

10 Now, if you are drawing distinctions between
11 0.46 and 0.47, you've gone down a rabbit hole that is
12 beyond my competence.

13 MR. PRESIDENT: Additional questions.
14 Senator Davis.

15 SENATOR DAVIS: Thank you, Mr. President.
16 I'm not going to ask you those questions anymore about
17 compactness because I don't want to do that to you.

18 We talked about St. Johns County yesterday.
19 And in your opinion, Senator Gaetz, in your opinion,
20 not from what was said, in your opinion, we heard that
21 we are dealing with this new proposed map for race
22 neutrality and population basis. The Governor has
23 said over and over, and my colleagues have stated it,
24 that we're at, you know, 1,800,000 of a population
25 growth, and we need to address that.

1 So, again, dealing with that premise that
2 we're dealing with race neutrality and population,
3 population being the first, the foremost of the
4 important one, St. Johns County is the fastest growing
5 county in the state, but we didn't do anything.

6 And yesterday, I correct myself. I said CD
7 6, and CD 7 is actually Congressional District 5 and
8 Congressional District 6. If we are actually
9 addressing population in this map, why do we not go
10 from -- and I tried to get the mapmaker to talk about
11 this. Why do we not take his initial start district
12 and go all the way up from the South to the North?

13 Because Northeast is not -- the Northeast
14 Florida is not touched at all.

15 MR. PRESIDENT: Senator Gaetz.

16 SENATOR GAETZ: Thank you, Mr. President.
17 You are now asking questions about the technique of
18 map drawing, and if one is trying to draw a map that
19 is consistent with an increase in population, where
20 should you start? Should you start at the top of the
21 state, at the bottom of the state, or in the middle of
22 the state? And I believe that Mr. Pareda provided his
23 best analysis or his only answer to that question in
24 committee.

25 I have no way to improve upon his answer.

1 I'm not a map drawer. I didn't draw any of the lines
2 on this map, so I don't know whether it would have
3 made sense to start with one of the counties in the
4 state that is the fastest growing. It happens to be
5 in my neck of the woods in Northwest Florida or to
6 start with St. Johns County or to start anywhere else.

7 The question is, how did it end up? And the
8 answer that the Governor's Office has provided is that
9 we end up with a map that is compact, as compared to
10 the map that is the underlying and existing map that
11 we have now, and a map that does not use racial bias
12 in the drawing of any lines. And that is the
13 Governor's testimony.

14 MR. PRESIDENT: Senator Davis.

15 SENATOR DAVIS: Thank you. Thank you, Mr.
16 President. And I promise this is -- I don't have too
17 much more. I beg to differ, Senator Gaetz. And I beg
18 to differ in the stance that what I said yesterday, I
19 stand by it.

20 And I made the comment yesterday that the
21 publisher of the map, in my opinion, was not the
22 person that completed that map. It's not the person's
23 work that was standing in front of us because the map
24 that was presented to us was not drawn in a
25 traditional redistricting way. And I say that to say

1 it is less compact.

2 MR. PRESIDENT: Senator Davis, is there a
3 question in --

4 SENATOR DAVIS: It is. It is. It's less
5 compact. It splits more counties, and it deviates
6 from existing boundaries more frequently used as case
7 law has directed us to do when we're drawing maps.

8 So I said all that to paint the picture to
9 ask Senator Gaetz, how do Floridians trust the fact
10 that we are now about to vote on a map that's even
11 more Republican leaning than the current map, but it
12 also doesn't address the things that I just laid out
13 with traditional redistricting criteria.

14 MR. PRESIDENT: Senator Gaetz.

15 SENATOR GAETZ: Thank you, Mr. President.
16 The map drawer testified yesterday. Mr. Pareda
17 testified on behalf of the Governor that he was the
18 only drawer of the map, that he drew the map. They
19 drew every line in the map. Although he consulted
20 with and was advised by legal counsel in the Office of
21 the Governor and other members of the Governor's
22 executive staff. He answered that question, I think,
23 several times in the same way.

24 The thrust of your question appears to be,
25 how could the people of Florida trust a map that is

1 more Republican? That's an interesting question. I
2 think as you look at registration and the growth of
3 registration in various political parties in the
4 state, Republican registration has grown over the
5 years. Florida has become more of a red state and
6 less of a purple state.

7 I think it was defined by Governor Bush as a
8 purple state during his time, and now it appears more
9 as a red state because of registration. But I believe
10 it is presumptuous, very presumptuous, not of you,
11 ma'am, not of you, Senator, but as presumptuous of
12 those who say that this is a Republican map.

13 It may be a Democratic map. I believe that
14 the voters of Florida -- you know, listen to what
15 Senator Pizzo said in Rules yesterday. It is really
16 up to the voters of Florida to decide, not only
17 whether this map is correct, but on the public
18 policies that underlie this map and provoke and
19 inspire this map.

20 And it's the voters who will decide. And I
21 am not persuaded as a Republican, as a lifelong
22 Republican, as a partisan Republican, I am not
23 persuaded that this map is necessarily beneficial to
24 the Republican Party.

25 MR. PRESIDENT: Additional questions?

1 Seeing none. President Gaetz, there is a House
2 companion bill here. Please explain the differences
3 if you plan to substitute.

4 SENATOR GAETZ: Mr. President, it is
5 identical.

6 MR. PRESIDENT: There we go. A little
7 identical. Senator of the 1st District, Senator Gaetz
8 moves to HB1D be withdrawn from Committee, read the
9 first and second time by title, and substituted for
10 SB8D. Is there objection? Seeing none, show the
11 motion adopted.

12 Read the House bill the first and second
13 time by title.

14 THE CLERK: House Bill 1D, a bill to be
15 entitled, an act establishing the Congressional
16 districts of the state. House bill 1D, a bill to be
17 entitled, an act establishing the Congressional
18 districts of the state.

19 MR. PRESIDENT: Are there amendments?

20 THE CLERK: None on the desk, Mr. President.

21 MR. PRESIDENT: Other questions? The
22 Senator of the 1st District, Senator Gaetz, moves the
23 bill be read a third time. All those in favor of the
24 motion signify by saying yea.

25 MULTIPLE VOICES: Yea.

1 MR. PRESIDENT: All those opposed. Show the
2 motion adopted. Please read the bill a third time.

3 THE CLERK: House bill 1D, a bill to be
4 entitled an act establishing the Congressional
5 districts of the state.

6 MR. PRESIDENT: To kick us off in debate.
7 That's Senator -- no. Not yet. Oh, Senator Rouson,
8 in debate. You are recognized, sir.

9 SENATOR ROUSON: Thank you very much, Mr.
10 President. We are here for two reasons, neither of
11 which have been declared political. The first reason
12 is because there's an increase in population. There
13 have been changes or surges in population that need to
14 be addressed with representation.

15 And the second reason why we're here is to
16 make sure that the districts are all race neutral, and
17 that's what is proposed in these maps, this map.

18 I have a lot of concern about this map
19 procedurally, substantively, and in terms of its
20 impact on the people of the State of Florida.
21 Particularly, the way it lines the way the lines split
22 and crack some of the communities I represent in Tampa
23 Bay and how St. Petersburg gets tied to Hardee County.

24 Procedurally, we have not undertaken the
25 full due diligence of analyzing these maps to

1 understand their impact. And I served on
2 redistricting in 2011 and 2012 when we had 26 hearings
3 around the state.

4 And some of you in this chamber right now
5 accompanied me to these various locations so that we
6 could do something novel, and that is get input,
7 appreciate different versions of maps, and get input
8 from the public.

9 That has not taken place in this instance, I
10 would argue. What we have instead is a map that,
11 according to what we were told in committee, was
12 worked on for two weeks and finished over the weekend
13 and delivered to us 24 hours before we vote on it in
14 committee.

15 Does that mean that this proposed map got a
16 full vetting? And even if 90 people from the public
17 signed up to speak and some waived their right, is
18 that sufficient from the public to give adequate input
19 that we should be considering?

20 I have lived in and served Tampa Bay for
21 decades, and I know these communities well. For
22 example, East Tampa, a community that has faced
23 decades of economic hardship, a community whose
24 residents have fought long and hard simply to have
25 their voices heard, is being cracked apart despite

1 being situated currently in a relatively compact and
2 cohesive district.

3 These voters are being split from their
4 neighbors and scattered into a district that stretches
5 far away from them. Why is there such a sudden
6 impetus to draw voters from Ybor City into the same
7 district as Inverness in Citrus County?

8 We were told repeatedly yesterday in
9 Committee that these districts were drawn in a race
10 neutral way. Is it race neutral to split up
11 communities made up largely of minority voters in ways
12 that geographically make no sense otherwise?

13 Are we to understand that these race neutral
14 maps coincidentally split up predominantly Black
15 voters in a way that just happens to be politically
16 advantageous to one partisan group?

17 In fact, we were told yesterday in Committee
18 that the map we currently have is not
19 unconstitutional. If that's the case, then why are we
20 even here except for political reasons?

21 And look at St. Petersburg, my home city.
22 It is stretched into a district that runs all the way
23 out toward Polk County then down towards DeSoto
24 County. And we know this isn't necessarily due to any
25 geographical quirk because for several years, as

1 recently as 2020, we did have a district that was
2 entirely in Pinellas County, Congressional District
3 13. It was clean, compact, and uncontroversial. The
4 easiest district in the world to draw, and it was
5 electorally competitive.

6 But now the poorest neighborhoods in St.
7 Pete that have already struggled to be heard will find
8 themselves in a district contorted in such an
9 unnatural way that they seem more like an addendum or
10 an afterthought than full participants in the
11 democratic process. Are those people, these
12 constituents, really just numbers, just dots on a map,
13 data points to be processed and manipulated?

14 That's not democracy. This is exactly why
15 voters in 2010 passed the Fair Districts Amendments
16 overwhelmingly. The voters had their say, and their
17 message was unambiguous. The map before us today is
18 precisely what those amendments were designed to
19 prevent.

20 When we all took an oath to uphold the
21 Constitution of the State of Florida, there was no
22 fine print that said except for parts we don't like.
23 I don't think that's what the people of Florida
24 elected us to do.

25 Why aren't we here debating issues that

1 directly impact the lives of Floridians? Issues like
2 the cost of living or health care access or
3 educational quality. That's where our focus should
4 be. Colleagues, I urge you to join me in voting down,
5 voting no.

6 Again, I repeat, we're not here merely to
7 address an imbalance in population or to decide race
8 conscious or race neutral districts. But somehow, we
9 go from 20 to an increase of 24 Republican seats and
10 the elimination of 4 Democratic seats. That's
11 politically motivated. Thank you, Mr. President.

12 MR. PRESIDENT: Additional debate. Senator
13 Bernard.

14 SENATOR BERNARD: Thank you, Mr. President.
15 I rise in opposition to this to this map. This
16 proposal to redraw Florida's Congressional map is, in
17 my view, an illegal and partisan gerrymandering that
18 violates both the United States Constitution and the
19 Florida Constitution. This map is built on
20 assumptions rather than facts. It assumes that the
21 Fair Districts Amendment will be struck down by the US
22 Supreme Court.

23 It assumes population changes beyond the
24 2020 census, redistricting should be grounded in
25 verified data, not speculation, especially given the

1 significant costs involved including legal fees,
2 administrative burdens, and the inevitability of
3 litigation. And make no mistake, litigation is
4 exactly where this is headed.

5 Recent legal reasoning makes clear that
6 Section 2 of the Voting Rights Act must be understood
7 as an enforcement mechanism of the Fifteenth
8 Amendment's prohibition on intentional racial
9 discrimination. Properly interpreted, Section 2 is
10 constitutionally sound when it is congruent with that
11 prohibition.

12 While it does not require direct proof of
13 intent, it imposes liability when the circumstances
14 create a strong inference that intentional
15 discrimination has occurred.

16 For example, in the Calais case, which was
17 92 pages long, and we received a one-page response by
18 the Governor's Office, the Supreme Court stated, if a
19 state's redistricting process produces multiple maps
20 that include majority-minority districts and the state
21 cannot provide a legitimate reason for rejecting all
22 of them, that raises a strong inference of racial
23 motivation.

24 In those circumstances, liability may attach
25 without requiring courts to engage in a difficult task

1 of determining the subjective intent of a legislative
2 body.

3 At the same time, the Supreme Court noted,
4 we know that the race based decision making and
5 redistricting triggers strict scrutiny under the
6 Constitution. The United States Supreme Court has
7 recognized only two compelling interests sufficient to
8 satisfy that standard, avoiding imminent risks to
9 human safety in prisons and remedying specific,
10 identified instances of past discrimination.

11 The Court has now held that compliance with
12 Section 2 of the Voting Rights Act, when properly
13 interpreted, may also qualify as a compelling
14 interest, but that requires a careful and faithful
15 reading of the statute grounded in evidence, not
16 conjecture. This proposal does not meet that
17 standard.

18 Equally troubling is a process by which this
19 map has been brought forward. Now in 2010, I served,
20 you know, in the Florida House, and I was on the
21 Redistricting Committee in 2011 that went to 26
22 different public meetings across the whole state. Now
23 Senator Rouson went to some of the meetings.

24 I went to every Redistricting Committee all
25 across the state, from Pensacola to The Keys. We

1 listen to communities in Jacksonville, The Villages,
2 Lakeland, Wesley Chapel, Huachula, Boca Raton, at FAU,
3 Miami, Key West, Tampa, Sarasota, and Naples, and
4 other places throughout the state.

5 And at that time, the Chair of the Senate
6 Redistricting Committee stated one sec. Oh, one
7 second. I'm trying to get to my -- all right.

8 The Chair stated redistricting is a historic
9 event that occurs only once every ten years, and it is
10 our goal to engage every Floridian in this fundamental
11 exercise of political rights. And the Chair went on
12 to state that the purpose of those meetings was to
13 listen, to truly understand the unique characteristics
14 of communities across Florida.

15 And as we're sitting here today, standing
16 here today, the chair was our president, Senator
17 Gaetz. I think it is fair to state that the current
18 process does not meet that standard. This map that is
19 before us was provided to our Senate Members 24 hours
20 before being heard in a committee.

21 Our constituents in the State of Florida
22 have barely had 48 hours to review this map before
23 we're passing it today. That is not meaningful public
24 engagement. That is not transparency, and that is not
25 how we should conduct an exercise as fundamental as

1 redistricting.

2 Furthermore, this map raises serious concern
3 under the Fair Districts Amendment. Many would argue
4 that it reflects an effort to predetermine electoral
5 outcomes, allowing politicians to choose their voters
6 rather than the voters choosing their representatives.
7 That is not how a representative democracy is meant to
8 function.

9 Finally, we are being asked to set aside
10 funds to defend this map in court at a time when
11 Floridians are struggling with real, everyday
12 challenges, the rising cost of living, fuel prices,
13 grocery bills, property insurance, and access to
14 health care remain pressing concerns for families
15 across our state. Those are the issues that deserve
16 our focus.

17 And I would simply say to my colleagues, if
18 we're fully addressing those concerns, there would be
19 far less incentive to redraw maps in search of a
20 political advantage. Thank you, Mr. President.

21 MR. PRESIDENT: Thank you, Senator Bernard.
22 Additional debate. Senator Nathan in debate.

23 SENATOR NATHAN: Thank you, Mr. President.
24 Excuse me. Mr. President, I'd like to talk about duty
25 and obligation. Not 24 hours ago, I stood right

1 there, and I took an oath to support, protect, and
2 defend the Constitution of the State of Florida and
3 the Constitution of the United States Of America.
4 This is the same oath that each one of us took when we
5 assumed our office.

6 And that phrase, to support, protect, and
7 defend, that phrase exists, an oath of enlistment I
8 took when I joined the United States Navy. And now
9 with this map, you are asking me to violate that oath.
10 There is nothing supporting, protecting, or defending
11 about our Constitution in this map.

12 So, Mr. President, I rise to reject this
13 abrogation of our duty to defend the Constitution,
14 this abandonment of the obligation we all took. My
15 colleagues from the legal profession have done and
16 will continue to do an admirable job explaining
17 exactly why to everyone in this chamber and at home
18 exactly why Florida does not need to engage in
19 mid-decade redistricting.

20 We've heard about compactness tests, the
21 Reock ratio, convex hull, Polsby-Popper scores, and
22 these statistical measures of strangeness, and that is
23 what they are. They're attempting to hide a simple
24 truth that this map is illegal, it is
25 unconstitutional, and all the statistical trickery in

1 the world cannot hide that.

2 No one is asking for illegal partisan
3 gerrymandering. My constituents aren't banging on the
4 door to my office. They are not calling my office
5 asking for Congressional lines to be redrawn.

6 My constituents elected me by 405 votes
7 because they believe there's more to life than just
8 surviving.

9 So what are we here to address today? We're
10 here because of two people. The president asked
11 explicitly for more Republican districts, and the
12 Governor is only too happy to oblige. So because none
13 of this, what we are undertaking today, solves the
14 real problems that my colleagues have mentioned, both
15 Senator Rouson and Senator Bernard.

16 It doesn't address housing. It doesn't
17 address education. It doesn't address the insurance
18 crisis, and it certainly does not tackle property
19 taxes. And those are the issues we should be focused
20 on, because those are the issues I'm hearing about
21 every single day.

22 So I want to take a quick look at Tampa.
23 It's where I'm from. It's in my district. It has
24 been sliced and diced to serve the Governor to deliver
25 this map. It's one of the largest and fastest growing

1 metro areas in the state. It is now covered by no
2 less than three districts, 12, 14, and 15 under this
3 map.

4 And those districts cover four counties,
5 Hillsborough, Pasco, Hernando, and Citrus. MacDill
6 Air Force Base in Tampa is now shoved in with Plant
7 City on the opposite side of the county. Ybor City, a
8 ten-minute drive from Downtown Tampa in that district
9 that is now in Plant City, is somehow connected to
10 Crystal River, three counties away. Five minutes from
11 my house, West Chase. Now we'll share a
12 representative with Hudson over an hour away.

13 Communities in my district and around the
14 state deserve true, fair representation, and instead,
15 all we are witnessing is the silencing of voices.
16 This is patently undemocratic. It's illegal. My
17 constituents, my neighbors, hell, my own family were
18 tired of being divided into red and blue.

19 Mr. President, this comes down to one
20 question. Are we going to honor the oath we took, or
21 we're going to ignore it when it becomes inconvenient?
22 I got here because I know who I work for. It's the
23 people I represent. I'm here to serve them, to lower
24 the cost of living, to address fair wages, and to move
25 our state in a better direction, and this map does

1 none of that. So ask all my colleagues to please vote
2 this down. Thank you.

3 MR. PRESIDENT: Additional debate. Senator
4 Bracy Davis in debate.

5 SENATOR BRACY DAVIS: Thank you, Mr.
6 President. I know we are in a Senate and we don't
7 clap. But if I could clap, I'd give my colleague a
8 round of applause.

9 I just want to say -- start by saying the
10 Calais decision did not invalidate the Voting Rights
11 Act. Full stop. Okay? It did not. So the
12 Governor's theory that the map has to be race neutral
13 is wrong.

14 Now let's level set and take a step back.
15 We have all seen the national conversation. We've
16 heard the pressure from Washington to gain midterm
17 seats. Many of us have seen the clip of the President
18 from some months ago when asked by a reporter how many
19 more seats Republicans should draw, and the President
20 very clearly said five. He wants five more seats.

21 So let's not pretend that this is happening
22 in a vacuum. Let's not pretend that this is a real
23 process. This is about acquiescing. This is about
24 power. This is about relinquishing our power and
25 giving it to the President.

1 And we should all feel some kind of way that
2 before it was presented to the legislature, it was
3 presented on Fox News. It was rolled out on a net on
4 national media, color coded in red and blue, as if the
5 outcome was already decided, as if our process did not
6 matter, as if this body and the work we are supposed
7 to do did not matter.

8 Colleagues, we are relinquishing our agency.
9 We are giving up our independence as an equal branch
10 of government. We are allowing ourselves to become an
11 extension of other branches of government instead of a
12 check on it. Newsflash. We don't work at the
13 pleasure of the Governor.

14 Newsflash again. We don't work at the
15 pleasure of the President. We were elected to
16 represent the people of Florida.

17 So let's talk about the process. There was
18 a time when redistricting meant real public
19 engagement. You heard it from Senator Rouson. You
20 heard it from Senator Bernard. Statewide listening
21 tours, communities showing up, people having a voice
22 before the lines were drawn.

23 But yesterday, we heard that one individual
24 drew these maps in just two weeks. Two weeks, one
25 person determining the political future of millions

1 without any public input.

2 That should concern every member of this
3 body. And to add insult to injury, the mapmaker,
4 Jason Pareda, stated clearly that partisan data was
5 used. Partisan data. And at the same time, we are
6 told this map is race neutral. So let me understand
7 this.

8 We are neutral when it comes to race, but
9 intentional when it comes to party. We are color
10 blind, but politically calculated. We call ourselves
11 fair in talking points, but biased in action. That is
12 exactly the kind of partisanship the Fair District
13 Amendments were designed to prohibit, and those
14 amendments are clear. The Constitution prohibits
15 drawing maps with the intent to favor or disfavor a
16 political party.

17 So let's call this what it is. This is
18 gerrymandering, illegal mapmaking designed to favor
19 one party over another. Full stop. That's what this
20 is. This map doesn't just tilt the scales. It
21 shatters them.

22 Moreover, we are here answering a question
23 that no one asked us to answer while ignoring the
24 questions people are actually asking. Because I don't
25 know what calls you are receiving in your offices, but

1 I can tell you what people are calling me about. They
2 are calling me about affordability. They are calling
3 me about rising rent.

4 They are calling me about insurance they
5 cannot afford. They are calling me about how hard it
6 is to stay in the great State of Florida. They are
7 calling me to fix education. Yesterday, we learned
8 that Florida ranks 50th in the nation in teacher pay.
9 50th. We're at the bottom, and our students are near
10 the bottom at SAT performance.

11 These are the questions people are asking.
12 These are the problems they expect us to solve. This
13 is what we should be having a special session on, but
14 instead, we're here.

15 And let me tell you what this is about.
16 This is about fear. Not just any fear. Panic. The
17 kind of panic that comes from 1600 Pennsylvania Avenue
18 when the ground is shifting beneath you and you can't
19 win in a fair fight. Fear of losing power. Fear of
20 losing control. Fear so deep it changes the rules,
21 bends the Constitution, and has the nerve to call it
22 strategy.

23 Because when you can't persuade the people,
24 when you can't inspire the voters, when you can't
25 defend your record, when you can't ignore the Epstein

1 files, you change the map. So the plan becomes
2 simple. If you can't win with the people, you cheat
3 the people. And the impact of this is not abstract.
4 It is targeted.

5 Communities like the Puerto Rican
6 communities in Central Florida where I live,
7 communities that are stronger together are being split
8 apart in five different districts. Black and Brown
9 voices that have fought to be heard are now being
10 weakened. That is not coincidence. That is design.

11 So to the people back home, let me speak
12 directly to you. Senator Gaetz said one thing that I
13 agree with. He said it's now up to the voters, and
14 he's right. Voters, you need to vote like your life
15 depends on it because it does. I know it can feel
16 like this is a fixed fight.

17 I know it can feel like the outcome has
18 already been decided, but the real question is,
19 voters, what are you going to do about it? We cannot
20 sit this one out. We have to stand up. We cannot
21 stay home. We have to show up, and you have to vote.

22 Floridians must reclaim our voice. And to
23 my colleagues here in the chamber, you can redraw the
24 lines on a map, but you cannot redraw the will of the
25 people. Vote down this bill.

1 MR. PRESIDENT: Additional debate. Senator
2 Smith.

3 SENATOR SMITH: Senators, I am not going to
4 surprise you today by rising in strong opposition to
5 this bill. My opinion has been made on this floor, in
6 the halls of this building, on social media, on
7 television, everywhere I can find to put the message
8 out there because me and my colleagues feel very
9 strongly that what is happening here today is illegal.

10 And what we are being asked to do is not
11 just pass some routine bill. It is not consistent
12 with the oath that each and every single one of us
13 members of the Florida Senate took to uphold and
14 defend the Constitution of the State of Florida.

15 Let's be clear about what happened with
16 these maps. This map was drafted in secret outside of
17 the sunshine, outside of the Legislature on purpose so
18 that lawmakers would not be deposed. I hate to bring
19 it to you. We're getting deposed. Drafted in secret,
20 and they gave it to us 24 hours before the Senate
21 voted on this bill in Rules yesterday. 24 hours.

22 How many of y'all got phone calls from
23 reporters, like, seconds after it was posted? I need
24 to hear your opinion, Senator. What do you think
25 about this map? None of us knew because we hadn't

1 seen it. We hadn't had a chance to review it.

2 We still haven't had a chance to review it,
3 folks. I can't tell you I'm an expert about this map
4 because I just saw it five minutes ago, and so did
5 you. That alone should raise alarm bells for anyone
6 who believes in transparency and the democratic
7 process.

8 But the real problem with this map runs much
9 deeper. This is a map that is designed and intended
10 to rig outcomes and to benefit one political party,
11 the Republican Party, Donald Trump's Republican Party,
12 in direct violation of Florida's constitution.

13 How do I know this? I have two eyes. I
14 have two ears, and I have a brain. We saw shifting
15 justifications for why this map needed to move
16 forward. I kind of lost count of how many excuses we
17 were given for why we absolutely had to do a
18 mid-decade redistricting process.

19 First, it was a Census undercount, which, I
20 mean, all of you know that this doesn't address
21 anything about an alleged Census undercount. We're
22 not getting an extra seat in Congress. That is a
23 completely spurious point that the Governor's memo
24 opens with. I don't know what the point of that
25 statement was.

1 We're not getting an extra Congressional
2 seat. This doesn't change that. The other
3 justification was, oh, well, there's a SCOTUS case
4 that's going to be coming, and, you know, we have to
5 get ahead of it because, you know, we're going to
6 predict what the Supreme Court is going to say. And
7 then the Supreme Court case never came. And then it
8 came, like, literally an hour ago in the middle of our
9 discussion that we were trying to barrel through with
10 this map regardless of what the ruling said.

11 Then we were told, oh, no. No. No. This
12 is this is actually about malapportionment, and so
13 that's the reason what we've got to do it. So I got
14 to give him credit.

15 The Governor and his team have been somewhat
16 disciplined in making sure that they never said the
17 quiet part out loud. That the real reason this is
18 happening is because, yes, Florida's trying to rig
19 these maps to keep Trump's Republican Party in power.
20 He was really careful never to say that out loud
21 because he knows that that's blatantly illegal.

22 Of course, until yesterday, he sent his team
23 to our committee to just openly tell us, Senators, we
24 don't have to comply. We don't have to comply. That
25 was stated over and over again. We don't have to

1 comply. We don't have to comply. We don't have to
2 comply. We don't have to comply.

3 What were they saying we didn't have to
4 comply with? The Constitution. That's what they were
5 telling us we didn't have to comply with, which, by
6 the way, they did this as a strategy on purpose to
7 numb the public, to take the shock value out of what
8 they were doing, to take the shock value out of the
9 obvious criminality that is intertwined in this
10 illegal map, the in-your-face lawlessness.

11 It might seem less egregious if it is openly
12 admitted in the Senate Rules Committee. Senators,
13 Article 3, Section 20(a) is not optional as it relates
14 to complying. It explicitly prohibits partisan
15 gerrymandering.

16 63 percent of Florida voters approved this
17 standard. It doesn't matter if we agreed with it or
18 not. They approved it. They didn't make any
19 exceptions. They didn't give us any wiggle room.
20 None. Zero. They didn't ask us to, hey. Can you
21 reassess the Constitution? Can you reinterpret that?

22 What do you think might happen if a future
23 court says, maybe that's not such a good idea? That's
24 not what they asked us to do. They didn't ask us to
25 ignore it. They told us clearly that drawing maps to

1 benefit one party over another is illegal.

2 Have I mentioned this is illegal? Maybe I
3 should mention it again. This is illegal, and that's
4 exactly what is in front of us today. Sad to say,
5 this is also not a legitimate process. It is not.

6 56 percent of voters recently, you know,
7 just in case any of y'all are wondering, well, you
8 know, maybe the voters have changed their minds.
9 Maybe they saw what California did, and maybe they saw
10 what Virginia did, and now they're incensed. And
11 they're like, oh, we've got to. We have to respond.
12 We have to respond to what the Democrat states are
13 doing.

14 Senators, 56 percent of Floridians recently
15 polled said that they oppose mid-decade redistricting
16 altogether. They don't care what happened in
17 California. They don't care what happened in
18 Virginia. They want us focused on real issues. They
19 want us working on tackling rising property insurance.

20 They want us to deal with skyrocketing
21 utility bills, the cost of living that is squeezing
22 families across the state. But instead, we're here.
23 We're debating in a rushed, legally questionable, at
24 best, manner that divides our communities for
25 political gain.

1 And I do want to talk about those
2 communities, namely the one I represent in Central
3 Florida. We've heard repeatedly that this map is race
4 neutral. I call BS. I mean, I call much more, but
5 this is the Florida Senate.

6 That claim that this map is race neutral
7 does not hold up to even the most basic scrutiny. In
8 Central Florida, when you look at that map that I
9 asked President Gaetz about, it goes out of its way to
10 slice and dice the Puerto Rican and Hispanic and
11 Latino community. In multiple districts, breaks them
12 up into four or five Congressional districts rather
13 than allowing the minority-majority district to stand.

14 That is textbook racial cracking. It
15 dilutes their voting power on purpose. It weakens the
16 power of the Hispanic community at the polls. And,
17 frankly, I think it's a slap in the face to some of
18 the same Latino voters who gave Trump a chance, and it
19 raises serious questions under the Fourteenth
20 Amendment.

21 And by the way, that cracking of the
22 Hispanic and Latino community in Central Florida is
23 not accidental. It's intentional. That's why I think
24 the bogus claim that these maps are race neutral is
25 absolute nonsense. And we are here being asked to

1 accept a legal theory that borders on absurdity. I'm
2 not sure that it borders it. It is absurd.

3 The Governor's argument is that parts of the
4 supreme -- parts of the Constitution -- he says the
5 Constitution is not constitutional. Make that make
6 sense. I never heard that before. The Constitution's
7 not constitutional. Don't follow it.

8 What? Are you kidding me? He's asking us
9 to ignore the law. And, yeah, we got the ruling just
10 now. The SCOTUS case in Louisiana, it did not
11 overturn Section 2 of the Voting Rights Act.

12 The vote news flash, it took us a half an
13 hour, an hour to figure this out, but breaking news,
14 the Voting Rights Act is still the law, Senators.
15 It's still the law.

16 Oh, also, in case you missed it, the Fair
17 Districts Amendment of Florida's Constitution is still
18 the law. It's the law. The legal foundation for this
19 map does not exist. It blocks the Governor's legal
20 theory, what just came from this ruling.

21 So what are we left with? We are left with
22 an executive branch that hauled us to Tallahassee by
23 force, telling us that we don't have to comply. We
24 don't have to comply with the Constitution we all
25 swore to uphold, a process that has sidelined our

1 institution as an independent, deliberative body, even
2 though map drawing is our constitutional
3 responsibility.

4 Sure. The Governor has a right to present
5 his map. Any member of the public has a right to
6 present a map. Doesn't mean that we have to pass it.
7 This map is clearly designed to entrench power rather
8 than reflect the will of the people. I think it's
9 important that we talk about the oath again, folks.

10 We all swore an oath, and we heard earlier
11 repeatedly, hey. This map is a legal theory. It's a
12 legal theory. Maybe we should let this legal theory
13 play out.

14 Senators, I took the same oath you did, and
15 the oath that I took was not I, Carlos Guillermo
16 Smith, swear to test a legal theory here in the
17 Legislature.

18 That is not the oath I took. Was it yours?
19 I took an oath to uphold and defend Florida's
20 Constitution. That's the oath that I took. My
21 husband was smiling, just ear to ear. Other people
22 didn't seem that happy when I was taking my oath, but
23 that was the oath that I took.

24 Senators, repeatedly telling us that we
25 don't need to comply with the Constitution doesn't

1 mean that we shouldn't. We are not here to follow
2 orders. We're a coequal branch of government, and I
3 would say we must comply. We must comply with the
4 oath that we took.

5 It doesn't matter what happened in Texas.
6 It doesn't matter what happened in California. It
7 doesn't matter what happened in Virginia. But, folks,
8 if we really believe that this proposal is right and
9 true, why haven't we taken it to the voters? Why
10 haven't we asked the voters for approval as they did
11 in California, as they did in Virginia?

12 It's because we know it will fail. This
13 moment is about more than the lines. It's about
14 whether we uphold the rule of law. I will not support
15 a map that is illegal, that is rigged in order to
16 appease an authoritarian who believes that he is king
17 of the United States Of America. We don't have kings
18 in this country. Our country was founded on that very
19 idea.

20 And, Senators, it actually only takes a few
21 of you to stop this. I counted the votes. I saw the
22 Rules Committee. I counted how many people are here
23 in this chamber. Just three more. Just three more of
24 you is what stops this from moving forward. Remember
25 your oath.

1 And to the people back at home who are
2 watching, who are feeling hopeless, who believe that
3 this rigged map intended to deliver more seats to
4 Donald Trump's Republican Party means that they maybe
5 should just give up or capitulate, I want you to
6 remember what happened in Hungary.

7 I want you to remember how the people of
8 Hungary recently stood up against authoritarianism,
9 how they overcame all of the obstacles and the rigged
10 and illegal process that was put forward in front of
11 them to actually take a stand for their country and
12 for what's right, and they won regardless of those
13 obstacles.

14 We need you to vote. There is hope, and we
15 can save our state. Thank you, Senators.

16 MADAM PRESIDENT: You have the debate,
17 Senator Pizzo.

18 SENATOR PIZZO: Thank you, Madam President.
19 I want to apologize to my friend, President Gaetz,
20 because I can't vote for this bill today. The reason
21 why I cannot vote for this bill today is because I am
22 not prepared. I fancy myself a fairly intelligent
23 individual. I would venture to say that I would fare
24 okay in a standardized test of the 90 pages released
25 today, probably better than most, but I would fail.

1 I don't know what I don't know. Recently,
2 not to get into any detail, I took over pro bono as an
3 attorney in a case, pretty complicated case, in your
4 district. And I begged the court for a continuance
5 because I was not prepared. I had not been able to
6 give proper treatment and deliberation to the volume
7 and mass of information that was available. It's not
8 just the 47 pages of dissent that follow the 37 pages
9 of opinion. It's the cases that it talks about, that
10 it implicates, that it includes.

11 So I am not prepared for class today, and I
12 simply, for that reason, cannot vote no. I can't
13 speak to the great certainty that many people have
14 spoken here today with great particularity and vigor
15 about they're so certain about their legal positions
16 having never gone to law school. God bless you. I'm
17 not prepared. I'm just not prepared.

18 What I am prepared is for this. It doesn't
19 matter how long Jason Pareda took. We're about two
20 months away from where a guy named Thomas Jefferson
21 took the same amount of time to draft the Declaration
22 of Independence. Two weeks is enough.

23 I mean, Adams and Franklin made some edits,
24 but it only took him two weeks to do the Declaration
25 of Independence. He did it with candlelight and

1 without a laptop. Okay?

2 But with the same voracious debate and
3 enthusiasm that those in opposition so far to this
4 point have had in this bill, you two got handed a
5 gift. You guys should just blue wave this midterm.

6 You guys should be winning every seat. I
7 mean, if this is the ultimate when I talked about
8 three years ago, which has now been taken as a tagline
9 for one political party, three years ago, I sat right
10 where, I think, Jen Bradley was on my left where Bracy
11 Davis is, and I was in the seat to the right, and Chev
12 was behind me over my right shoulder, Janet Cruz is
13 behind me. And I go, listen, guys. We're talking
14 about a bill, and I go, listen. The pendulum's going
15 to swing.

16 Might not be today, might not be tomorrow,
17 or next year, next decade, but it's going to swing.
18 And what you don't want and Senator Hooper was right
19 in front of me. I think he actually agreed with me
20 when I said this. What you don't want is the gluttony
21 and greed that you're exercising today because -- just
22 because you can. You don't want that to come back and
23 bite you. You want to have grace and compassion and
24 be fair.

25 So here's where we are. If it's so bad, if

1 it's violative of Constitutional rights and what the
2 voters wanted and all of those things, then you guys
3 should clean up in November. I mean, you should win
4 every seat that's up, or maybe you won't. Or maybe
5 our voters will vote for a particular person or idea
6 or who they think represents their feelings.

7 Why does a majority White Republican
8 district vote for a Black guy? Why does an
9 overwhelming conservative district vote for a woman
10 who drove a Subaru at the time? Can you believe that?
11 Anything's possible. You know, I was going to fit
12 that in at some point.

13 So let me just say this. I don't know what
14 I don't know, and I'm smart enough and confident to
15 know that I don't know what I don't know yet. And
16 that's why I can't vote for it. I'm just not ready.
17 Maybe we should have not rolled this today.

18 I don't know. I had this on my dance card
19 until Friday. But Ben Sasse is dying of pancreatic
20 cancer, and he's dying slowly the way my dad did. So
21 he's got great clarity. And he said on 60 Minutes --
22 you should all watch it. It's really great. Doesn't
23 matter who you are or where you're from.

24 And he said, Congress is right now just so
25 unproductive, and they should be the deliberative,

1 boring, and trustworthy body. Let's get off social
2 media, guys. Let's not do these things for social
3 media.

4 As you said, that smackdown of social media
5 is nonsense. Let's be boring and trustworthy and
6 deliberative. Let's read. Let's do our homework. I
7 have not. I am not prepared. I can't vote for it.
8 If you told me to come back in a week, I might change
9 my mind.

10 But I want to be honest with all of you.
11 I'm not calling anybody out. I would do better on the
12 test than you would. We're not prepared.

13 MADAM PRESIDENT: Senator Polsky?

14 SENATOR POLSKY: Thank you, Madam President.
15 I'm going to try a different angle today. We're going
16 to continue to talk about the oath because it's really
17 important. So I rise today to speak in opposition to
18 this redistricting proposal.

19 And I want to begin what we've heard before
20 with a reminder that every single member of this
21 chamber has taken an oath. We swore to uphold the
22 Constitution of the State of Florida, not the
23 Constitution when it's convenient, not the
24 Constitution when it helps our party, the Constitution
25 in full without reservation.

1 And that Constitution, ratified not by
2 politicians, not by lobbyists, not by party bosses,
3 but by the people of Florida, in an overwhelming
4 majority in 2010, contains a clear and unambiguous
5 provision. Congressional districts shall not be drawn
6 to favor a political party or an incumbent.

7 That's not my opinion. That's the law of
8 the state passed by Florida voters with more than 63
9 percent support. They didn't whisper it. They didn't
10 suggest it. They enshrined it. And today, this body
11 is being asked to tear it up.

12 Let's be honest about where this proposal
13 comes from because the trail isn't hard to follow.

14 Shortly before the Governor announced his
15 push to redraw Florida's Congressional maps
16 mid-decade, Donald Trump issued an explicit call to
17 Republican governors across the country, only
18 Republican governors. Not a subtle nudge, not a quiet
19 suggestion, an explicit call to redraw Congressional
20 lines for the clearly stated purpose of giving
21 Republicans a better chance to pick up seats in the
22 upcoming midterms. That was the stated purpose
23 partisan gain said out loud.

24 Now the Governor of Florida has been careful
25 not to repeat those words. He's too savvy for that.

1 But his justifications, every single one of them, have
2 crumbled under the slightest scrutiny.

3 First, we were told this was necessary
4 because of a pending Supreme Court case. A case that
5 was going to force our hand. A case that required
6 urgent action even though at the time, of course, we
7 didn't have it.

8 So interesting that the decision dropped
9 today, isn't it? Interesting that this case, though
10 they hoped for it to justify this redistricting, it
11 does not, in fact. Does it make it harder? Yes. But
12 the Supreme Court did not overturn Section 2 of the
13 Voting Rights Act. We all have to know that. It does
14 not ban the consideration of race entirely from
15 redistricting.

16 So then we were told this was about
17 Florida's rapid growth. The state has grown. That's
18 true. And if fair representation were genuinely the
19 concern, it would be a worthy conversation. But that
20 argument fails, and it fails on two separate grounds.

21 First, we do not have mid-decade Census
22 data. The Census Bureau has not given us new numbers.
23 We are still operating on 2020 figures. If the
24 Governor is truly concerned about accurate
25 representation based on population, he does not have

1 the data to draw the maps -- the map, single map. You
2 cannot justify a redraw on population growth you
3 cannot measure.

4 And second, and this question deserves a
5 direct answer from the other side of the aisle, if the
6 Governor is genuinely worried about Floridians being
7 fairly represented, why has he proposed redrawing
8 Congressional lines but said nothing, not one word,
9 about redrawing state legislative districts?

10 Florida's state legislative districts were drawn from
11 the same 2020 Census data. They are subject to the
12 same population shifts.

13 If growth is the real concern, why does it
14 only seem to affect the maps that determine who sits
15 in the United States Congress? The selective nature
16 of this proposal is not a coincidence. It is a
17 confession.

18 Madam President, I want to speak directly to
19 my colleagues on the other side of the aisle because I
20 know there are members over there who have
21 reservations about this, who understand in their
22 hearts what this is. Political parties come and go.
23 Majorities shift. The party that engineers the maps
24 today may find itself on the other side of those maps
25 tomorrow.

1 But Constitutional norms, once broken, are
2 very hard to restore. And the trust of the people of
3 Florida, once lost, is even harder to win back. The
4 voters of this state looked at a political system they
5 didn't trust.

6 And in 2010, they took matters into their
7 own hands. They said, not here. Not in our state.
8 You do not get to draw the lines that choose your own
9 voters. That is how we differ from all the other
10 states that have been discussed.

11 They said it clearly. They said it loudly,
12 and they said it by a margin that left no room for
13 reinterpretation. We took an oath to honor that
14 decision. I am asking this chamber to keep that oath.
15 Vote no on this redistricting proposal.

16 Stand with the Constitution. Stand with the
17 voters who put that provision out there, and stand
18 with the principle that in the State of Florida, the
19 people choose their representatives. Their
20 representatives don't choose them.

21 I want to appeal to the Florida Supreme
22 Court to follow the law. You were all appointed to do
23 just that, not to be political rubber stamps. This is
24 potentially the most consequential vote any of us will
25 make.

1 When you put your head down on the pillow
2 tonight, will you say to yourself, I voted according
3 to the Constitution, the laws, and for the people of
4 my district and the state, or will you say I voted for
5 my political party? Thank you, Madam President, and
6 fellow members for doing the right thing today.

7 MADAM PRESIDENT: Any other debate? Senator
8 Sharief.

9 SENATOR SHARIEF: Colleagues, I am prepared
10 for debate. See, I'm really good at math and good at
11 pop quizzes too. And I got the statistical card on
12 this one.

13 And so I stand today in opposition of this
14 map, not based on just the illegality of it, but it's
15 about a contract. It's about a contract that we made
16 between voters and the government, and we're changing
17 that midstream.

18 You can't do that because the consequences
19 are not just prospective, they're retroactive because
20 we're changing the value and the meaning of votes that
21 were already cast. It reaches backwards, and it just
22 distorts our elections and what's already happened.

23 And when we talk about maps and we talk
24 about, looking at data in terms of partisan and not
25 taking race into consideration, it's statistically

1 impossible to not say that race doesn't play a part in
2 partisanship.

3 If we take the statistics of the State of
4 Florida and we look at the Democrats, which represent
5 4,000,000 registered voters, The Republicans represent
6 5,500,000 registered voters, and the NPAs and other
7 represent 3,300,000. If you look at that and you look
8 at those statistics and you proffer what's been said
9 today, which is that the maps that we previously took
10 into consideration were severely impacted by racial
11 influence, then this chamber shouldn't look like this.

12 Because if you take the statistics and the
13 data and you have something that is severely impacted
14 by a minority consideration, a Republican majority
15 would not remain in the House and in the Senate. That
16 would mean that there would be a different amount of
17 Democrats. There wouldn't be 12 Democrats in 40. And
18 over in the House, you wouldn't have that super
19 majority.

20 So what does this mean when you say that
21 race is not a factor. Partisanship dictates that
22 under the Democratic Party, with the 4,000,000 voters
23 that I just talked about, Black and African-Americans
24 represent 80 to 90 percent of those. White non-
25 Hispanics represent 30 to 40 percent of those. And

1 Hispanic and Latino, which is often rolled into the
2 White vote, is 40 to 50 percent. Asians are a very
3 small percentage of that.

4 The Republican vote is 5,500,000. Only 10
5 percent of those are Black people or African-American.
6 White non-Hispanic votes represent 55 to 65 percent of
7 Republicans. Hispanic and Latino, 45 to 55 percent,
8 and Asians are very small percentage.

9 NPAs have 3,300,000. Black and African-
10 Americans are represented by very small margin. White
11 and non-Hispanic by a moderate percentage. And
12 Hispanic and Latino is very high in the NPA, and no
13 party affiliation or other.

14 That's the number that we have to look at
15 when we are talking about this particular map because
16 we already knew where the Democrats were when you drew
17 the map and you drew the boundaries. We knew where
18 they were because we can see from the map that they've
19 been isolated in certain pockets. And then in others,
20 they've been diluted by carrying a tip of a majority-
21 minority neighborhood into it.

22 But Hispanic and Latino populations had to
23 be split multiple times because they represent the
24 3,300,000 that became the determining factor of
25 whether or not these districts were able to be turned

1 purple or whether they were able to be solidly red.
2 And what you saw on Fox News when they put the colors
3 up was exactly this.

4 This is why the map looks the way it looks
5 on Fox News. They don't have a crystal ball. They
6 have math. They have statistics, and numbers don't
7 lie. Numbers can be manipulated to your favor, but
8 numbers don't lie.

9 When you go into your driver's license,
10 place and you register for your driver's license and
11 they ask you to register to vote, they ask you your
12 race, they ask you what your party affiliation is,
13 what your address is, and your date of birth, and you
14 give it to them. And the data is determined by what
15 you've given and what you put in the system.

16 And so if I consider myself an African-
17 American female and I go in and I register as an
18 African-American female and a Democrat, then you can
19 pretty much tell where I'm at. You know where my
20 address is. So when you're doing these maps for data
21 purposes and you look for an address of a Black woman
22 who's a Democrat, going to pull me up really easily,
23 and I don't have to say a word.

24 And you can say, you took my address into
25 consideration and not race, but you also said, and

1 they said it three times in committee yesterday, that
2 they took partisan data into consideration when they
3 made the maps.

4 So when I went home, I do what I always do.
5 I like math. So I sat down and I looked at the math,
6 and this math doesn't lie. And so if we're talking
7 about not taking race into consideration, then you
8 shouldn't have taken partisanship into consideration
9 either because that is a telltale sign of race, and
10 you cannot deny it because the numbers don't lie.

11 It's on the state system right now. If you
12 pull up the Florida Division of Elections office right
13 now and you pull up the Democrat party and Republican
14 party affiliation, and you look at race and you break
15 it down, those numbers do not lie. And when I looked
16 at the Broward County map, they didn't lie.

17 And so today, when I decided when I first
18 came in here today, I was just debating based on the
19 numbers And the situation and the results of the
20 Calais case didn't change my debate today. That's why
21 I'm prepared.

22 If the prior maps were truly dominated by
23 race as the primary factor, we would have expected
24 electoral outcomes to reflect that influence across
25 the map, and it did not.

1 But what we actually see is a sustained
2 Republican super majority in both chambers. That's
3 not evidence of a system overly driven by race. It's
4 evidence of a system where race was considered in
5 limited legal required ways while partisan outcomes
6 remain dominant.

7 The Fourteenth Amendment, if it still stands
8 when I walk out the door today, that law does not
9 prohibit consideration of race. It prohibits
10 predominance of race without justification.
11 Compliance with voting rights protections requires
12 that race be considered in certain circumstances that
13 is not unconstitutional. It is required.

14 In a state where party registration is
15 divided and millions of voters are unaffiliated, the
16 existence of a strong Republican majority is not
17 consistent with a system supposedly skewed to favor
18 minority representation through race. If anything, it
19 demonstrate that race has not overridden broader
20 electoral dynamics.

21 It worked in your favor. And now you're
22 going to redistrict midstream to change it. If it
23 doesn't scream illegal to you, it ought to just scream
24 unfair and unjust.

25 And in a place where I stand, where my

1 ancestors stood, and where I have over six generations
2 of representation to get to this point with that
3 little Black girl from a place in Miami standing to be
4 a State Senator before you today, if I can do it with
5 these things in my way and these obstacles that we've
6 been put before us for many, many years and many
7 decades, and you can survive this. All of us can.

8 But what we can't do is change the law to
9 favor our preferences. That's what makes this
10 illegal, and that's what makes it unjust. And for
11 that reason, I'm asking you colleagues to please vote
12 down on this today. Thank you.

13 MADAM PRESIDENT: Further debate, Senator
14 Berman.

15 SENATOR BERMAN: Thank you, Madam President.
16 So we did hear a lot about taking our oath. And
17 yesterday, we're so proud to have sworn in a new
18 Senator. And I'm sure we can all remember when we
19 were there. We raised our hand. We took our oath.
20 And our oath wasn't just to the United States
21 Constitution, but to the Florida Constitution as well,
22 the same Florida constitution that we are being asked
23 to trample today.

24 We asked the Governor's people why, in their
25 letter, they didn't refer to the Florida Constitution,

1 and they didn't really give us an answer. And the
2 reason is because they were asking us to violate the
3 Florida Constitution. They're asking us to violate
4 the Fair Districts Act.

5 I have not heard one person say that this is
6 a legitimately good map that would benefit our state.
7 I've heard it's a map, not high praise. I've heard
8 that it follows the US Constitution, but not that it's
9 good, not that it's needed, and not that it will give
10 more voice to the voters who should be electing their
11 politicians and not the other way around. How could
12 it be? It was drawn by one person in secret.

13 Not one of my constituents asked for a new
14 map. My constituents are asking for the things that
15 you heard about here on this floor. They're asking
16 about affordability. They're asking about their
17 property insurance.

18 They want to make sure they have health
19 care, that they can pay their utilities, their rent,
20 that their children get a great education. That's
21 what we should be spending time on, not on this.

22 And I want to talk a little bit about some
23 of the wonkier legal issues, because I think we have
24 to set the table a little bit so that we understand
25 everything about how we got here. Oops. Let me get

1 my map and get back where I was.

2 Okay. So yesterday in Committee, the
3 lawyers were asked a key question. And the question
4 was, is the Governor -- that the Governor's map is
5 based on a legal theory underpinned by two ifs? One,
6 if Calais comes out and makes consideration of race
7 unconstitutional. And two, that the Florida Supreme
8 Court agrees the racial minority part of Fair
9 Districts are non-severable from the partisan
10 gerrymandering.

11 The Governor's lawyer agreed that his case
12 supporting the map depended on these two ifs. Well,
13 Calais came out today, and the first if was a no.
14 Calais does not make considering race in redistricting
15 unconstitutional. That is very, very clear. It
16 doesn't change that part of the law.

17 So the Governor's legal theory fails on the
18 first if. And so by their lawyer's own admission, the
19 legal theory underpinning the maps fails. Fair
20 Districts, including the ban on partisan
21 gerrymandering, is still the law of the land.

22 What was true before this morning, that
23 Section 2 of the Voting Rights Act was the law, is
24 still true this afternoon. What was true before this
25 morning, that Fair Districts was the law is still true

1 this afternoon.

2 We have seen the clear language in Fair
3 Districts, and that is that partisan gerrymandering is
4 prohibited under the law. And while the Governor
5 didn't particularly -- didn't come out and say it,
6 other members of his party did. And then yesterday,
7 his own staff came out and said they prepared the maps
8 using partisan data. So there is no question that
9 what was done is clearly unconstitutional and illegal.

10 No one has said that the previous map is
11 unconstitutional. There's no reason we have to be
12 here today. When we've done mid-decade redistricting,
13 we have done it for the purpose that the courts
14 ordered us to do this. That is not the case here. We
15 don't have to do anything. There is no requirement
16 that we do this here today.

17 I would love to see us stand up as the
18 coequal branch of government that we are and say to
19 the Governor, no, we are not going to do this illegal
20 activity.

21 You know, I think that there was a little
22 bit, I guess, it's called malapropism when we heard
23 today about what we should do with this map, but I am
24 going to ask all of you to do that. And what I would
25 like everybody here to do is dispose. Dispose,

1 meaning discard this map, and I ask all of you to vote
2 no and dispose of this map. Thank you.

3 MADAM PRESIDENT: Any other debate? Senator
4 Osgood.

5 SENATOR OSGOOD: Thank you, Madam President,
6 and thank all of you for sharing your opinions and
7 your stance today. For me, I stand today at the
8 intersection of democracy and dignity. I have to
9 remember the oath I took, but I also have to remember
10 who I'm in covenant with as I live from day to day.
11 And I think what we are witnessing is not just a
12 simple policy shift. It's a coordinated restructuring
13 of democracy itself.

14 When we think about the map that we have
15 now, I combined it with the federal executive order
16 ensuring citizenship verification and integrity in
17 federal elections, our own Florida version of the SAVE
18 Act. And I think, collectively, they represent a
19 dangerous convergence of power, politics, and voter
20 suppression.

21 I believe that the Florida Constitution
22 through the Fair District Amendment explicitly
23 prohibits partisan gerrymandering. That's packing and
24 cracking of any group of people regardless if they're
25 White, Black, or Hispanic. And yet we have this

1 proposed map shifting Florida's delegation to be
2 specific to Broward County.

3 We are losing two Democratic seats in
4 Broward County. It's like if I have my hand and
5 somebody just cut off two fingers for no reason.
6 Whole hand working, no complaining, good strong hand,
7 and then I just lose two fingers for no apparent
8 reason. I can't explain that to the voters. But
9 community like mine feel some kind of way when these
10 things happen by government, feel like they're being
11 targeted and attacked.

12 And I'm not going to presuppose or insult
13 anybody by trying to determine what they're thinking.
14 I have a background in public administration, not
15 psychology or psychiatry or any of that. But I listen
16 at people and how they feel and what they share.

17 And what's difficult for me is regardless of
18 what political party you're in, when people say
19 government, y'all, that's inclusive of all of us.
20 They see us all together.

21 And as we find ourselves in this moment with
22 these maps, we have to really ask ourselves, is
23 political power that important? So important that we
24 prioritize it over people. Think we're setting a
25 dangerous precedent.

1 Redistricting is supposed to occur once a
2 decade. And we can argue, I'll let you lawyers do
3 what you do. I'm not a lawyer if it's legal,
4 unconstitutional. But for me, I ask myself, is it
5 moral? Is it the right thing to do?

6 I go through these series of questions, and
7 I'm sure you do too. Is it politically motivated? Is
8 it nationally coordinated? What about the timing?
9 Eliminating two Congressional districts in Broward
10 County. How do I reconcile that to voters in my
11 county?

12 I keep hearing us say a lot about race. It
13 really, really confuses me because I believe that God
14 created us in his image. I wish we could just get
15 away with -- get away from all of this race stuff.
16 What does it really mean? Does it mean Black people
17 and White people? Does it mean Black, White, and
18 Hispanic?

19 It's relative to what we're talking -- when
20 we're talking about whatever we're talking about, but
21 I can tell you that it keeps us divided, and it keeps
22 us in a position that we have a system that has this
23 whole notion of this value gap, where we use this bad
24 word called race to determine who gets what, when, and
25 why. And it's not God's thing. He created us all in

1 his image. We're all his children. Really wish I
2 could ban that word. Cause a lot of harm, cause a lot
3 of us to be at odds when we shouldn't be.

4 If we saw all ourselves as equal people and
5 equal value and we work to provide for each other what
6 we want for ourselves, I think we could govern better.

7 And as I continue to think about this whole
8 time of where we're at, and for me, I connect the
9 dots. So the March 2026 executive order mandates
10 federal involvement and voter verification system.

11 Now to me, this undermines a fundamental
12 principle that states, not the federal government,
13 administers elections. It raises serious
14 constitutional concerns about government overreach and
15 coercion. We're required -- I'm required because of
16 the covenant that I -- who I'm in covenant with as I
17 live from day to day.

18 So let me just say it like this. I'm
19 required to act justly, love mercifully, and walk
20 humbly with God. And what we're doing here today for
21 me is not just, it's not merciful, and it's certainly
22 not about being humble. It's about using power to
23 gain more power.

24 Let me move to our Florida version of the
25 SAVE Act that we went through in the original

1 legislative session that requires proof of citizenship
2 and expand verification systems. But in practice, it
3 removes voters that cannot quickly verify
4 documentation. It disproportionately impacts, I
5 believe, seniors, Black and Brown voters, women, and
6 low income residents.

7 For me, it's a clear signal that we're
8 sending a message that we're trying to stop voters.
9 And when we combine these things collectively, the
10 government, federal government, state government,
11 local government. Most people don't even know what
12 the roles of each is, just the government.

13 When we combine the gerrymandered map, the
14 federal voter verification mandates, and state level
15 citizenship restrictions, we create a certain kind of
16 system. We create a system where districts are
17 predetermined, voters are filtered, and outcomes are
18 engineered. And for me, brothers and sisters, that's
19 an erosion of democracy.

20 This guy, Amos, they had a nickname called
21 prophet, talks about justice rolling down like water
22 and righteousness like an ever flowing stream. When
23 we make decisions like we're making today in the way
24 that we're doing it, we set up political dams that
25 keep water. We know when water flows, it nourishes

1 everything it touches.

2 But we continue to have public policy after
3 public policy, decisions that are made that stops the
4 water from flowing to certain places, certain groups
5 of people.

6 So, again, for me, it's not just about the
7 oath I took. It's about who I live in covenant with
8 every day. And for those reasons, I cannot accept a
9 future where maps choose voters, laws exclude
10 citizens, and power overrides principles.

11 In a democracy, voters are supposed to
12 choose their leaders, but actions like this suggest
13 that we're using our authority to choose voters. And
14 in closing, brothers and sisters, it's your decision.
15 It's your choice.

16 I wouldn't insult you by trying to tell you
17 what choice to make. But remember, we are still
18 writing history every day. We're writing the days of
19 our life. Some of us are living bold and beautiful.
20 Others are living young and restless. Some are living
21 as the world turn one day at a time. They really
22 don't care.

23 But remember, your vote and your decision
24 will say where you stood. Did you stand on the side
25 of power? Would you stand on the side of power, or

1 would you stand on the side of the people? I'm voting
2 no because I'm standing with the people.

3 MADAM PRESIDENT: Senator Arrington.

4 SENATOR ARRINGTON: Thank you, Madam
5 President. Members, we are here today not to just
6 debate and vote on a map, but to decide whether we
7 will honor the Constitution of the State of Florida
8 and pass a gerrymandered partisan drawn map. If you
9 look at the map in District 9, which is my area, you
10 can look at how many rural counties are packed into
11 that district.

12 If you've been to Osceola or Orange County,
13 where there's high growth has been and continues to
14 be, why would you add Indian River County, Highlands
15 County, Okeechobee County, and Glades County? Do you
16 think that your constituents in these rural counties
17 want to be represented by someone in Osceola County or
18 someone in Orange County? Or do you want them to be
19 included with Osceola and Orange County's priorities?

20 And, coincidentally, in this district, a
21 majority-minority district with over 55 percent
22 Hispanic residents, it has been split between multiple
23 districts to weaken their voting power, four to five
24 districts. And this district, as Senator Smith talked
25 about, spans over 120 miles.

1 How long will it take their representative
2 in Congress to attend event or visit their counties
3 and talk to their constituents? These folks are not
4 going to get representation.

5 In 2010, Florida voters were clear. Our
6 Republicans, Democrats, and Independents
7 overwhelmingly passed the Fair Districts Amendment.
8 They did so for one simple reason, to end partisan
9 gerrymandering. The language is clear. Districts may
10 not be drawn to favor or disfavor a political party.

11 That is not a suggestion. That is a
12 constitutional mandate. And yet the map before us
13 today does exactly what the Constitution prohibits.
14 It is being advanced in a mid-decade special session.
15 You're right, Senator Gaetz. It's a mouthful.
16 Because of politics, Because of power.

17 And we've all seen the map that's colored in
18 red and blue blocks to represent the proposed
19 districts that was released to Fox News before it was
20 sent to us. And think about that. How many times are
21 we going to keep the Governor's check that he writes
22 without even talking to us. It's not -- it's
23 embarrassing, and it's disrespectful, as Senator Jones
24 said yesterday in Committee.

25 This map is illegal. This map is expected

1 to increase one party's representation by multiple
2 seats. That outcome is not incidental. It is
3 intentional. And when intent is to advantage one
4 party over another, that is a direct violation of the
5 Fair Districts Amendment.

6 This is not just about lines on a map that
7 were supposedly drawn by one person over the last two
8 weeks. As it was said, this is about whether voters
9 choose their representatives or whether
10 representatives get to choose their voters. And the
11 people of Florida already answered that question at
12 the ballot. They put it in our Constitution. Our
13 responsibility is not to reinterpret their will. Our
14 responsibility is to uphold their will. And if we
15 pass this illegal map, we are telling Floridians that
16 their vote, their voice, and even their Constitution
17 can be set aside for political gain. I will not do
18 that.

19 I urge this body to reject this partisan
20 drawn gerrymandered map and stand by the side of
21 fairness, due process, transparency, and the rule of
22 law. Thank you.

23 MR. PRESIDENT: Additional debate. Senator
24 Davis, debate.

25 SENATOR DAVIS: Thank you, Mr. President.

1 Wow. You all have heard a lot, and we appreciate you
2 being attentive to that. But this is a heavy deal. I
3 remember the redistricting in the House, and now we're
4 doing we're drawing new lines in the Senate.

5 I stand up to say that I am probably one of
6 a few people in this room that truly understand some
7 or most of this terminology. And I agree with you,
8 Senator Pizzo, when he says, we're not ready. You're
9 absolutely right. We're not ready because the last
10 time the Senate did something like this, it was a
11 combined eight hours specifically to just inform and
12 educate Senators. Nine hours to consider the 13
13 different Congressional map options and another four
14 hours for the final committee consideration.

15 But, yeah, we were given a map in, what, a
16 day, expected to understand it, go through it,
17 understand how the lines were drawn, but most of us
18 don't understand the terminology of packing and
19 cracking and the jingles, the Thornburg versus Jingles
20 part one and two. We're not ready.

21 And you've heard my colleagues say how we're
22 getting ready to cash a check. You've heard my
23 colleagues talk about power, and that's what this is.
24 But all session, this chamber has talked about trust.

25 Trust. Trust who? Who are we asking

1 Floridians to trust? Because they're not going to
2 trust us with what we're doing here for you to sit in
3 this room and say, this isn't about partisan
4 gerrymandering. This isn't about racial
5 gerrymandering.

6 This isn't about gaining more seats. This
7 isn't about making a Republican leaning map more
8 Republican leaning. This isn't about gaining more
9 seats because we want to stay in power and in charge.
10 Well, we have some articles here that say differently.
11 And just like I have them, you should have them too.

12 Let's start with a gubernatorial candidate
13 that, today, I won't call the name, but I'm sure you
14 know, says Florida should counter Democrats by
15 redistricting. Should do it. Especially when they
16 say that's illegal here. It is. You've already heard
17 it.

18 Leader Berman has already said the Fair
19 Districts Amendment is still the law of the land. The
20 Voting Rights Act is still the law of the land, has
21 not changed. The second article said, but it's not
22 about power. It's not about gaining more seats
23 because we can stay in charge. DeSantis plots to end
24 run Florida's law to create more GOP House seats.

25 This is exactly what an illegal partisan

1 gerrymander is. Yeah. You all are looking at us
2 straight in our face and saying, no. That's not what
3 this is. The reason I questioned Mr. Pareda like I
4 did is because I worked with him before, just like
5 many of you.

6 Spent a lot of hours in his office along
7 with Ms. Lita Kelly (phonetic) when we were drawing
8 maps in the House. So when I say to you that wasn't
9 his work, I mean it. When I say to you that this map
10 performs poorly, it does. And until you tell me
11 different because no test has been done, that's where
12 I'm going to stand. It performs poorly.

13 It's going to perform poorly than the
14 current map. It's not following any of the
15 traditional criteria. None. It's less compact,
16 though we went back and forth about that. I have the
17 numbers.

18 Everybody else should have them. It splits
19 more counties, and it deviates from existing
20 boundaries. You've heard it. My colleagues have
21 talked about Orlando. They've talked about how Tampa
22 is split, and they also have talked about how Broward
23 is split.

24 It does. And for this to be something we're
25 doing without preparation, without going through,

1 without hours of education, and just signing a blank
2 check because that's what the Governor wants to do,
3 I'm glad I'm standing on the other side of this
4 illegal gerrymandering of a map because that's what it
5 is.

6 I'm going to say that word over and over
7 again because for the people that are watching, this
8 is a clip. And I want folks to understand that this
9 is a legal -- illegal partisan gerrymander. It's
10 illegal.

11 It's illegal because the Fair District Act
12 still exists today. It's illegal because the voting
13 right act voting rights act still exists today. It's
14 illegal. And if folks don't hear anything we say,
15 they're going to know this is illegal. This is not
16 about -- it's not about population. It's not about
17 race neutral. This is a blatant, illegal, partisan
18 gerrymander.

19 I stayed on -- I talked a lot about the
20 Reock scores and the Polsby-Popper scores and the --
21 thank you, Senator -- and the convex hull, which I
22 couldn't think of the name for. Again, terminology
23 and formulas, most of us have no clue as to what that
24 means and how it was used. Probably wasn't.

25 But it was told to us that's how we got the

1 compactness scores. Those are formulas you use for
2 the compactness scores. Mr. Popper was someone who
3 testified before us, and this score and these maps are
4 lower than his scores. A compactness expert is the
5 point I'm trying to make.

6 Besides that, that's the technical part of
7 what I wanted to talk to you all about. We had a room
8 of probably 150, 100 people, 50 people come to say, do
9 not do this. Don't do this. We have a tendency not
10 to listen to our constituents when they come to talk
11 to us. But I appreciate our Rules Chair for allowing
12 everyone to speak yesterday. But I took notes, and I
13 want to remind you of some of the things your
14 constituents came up to Tallahassee to say to you
15 about this map.

16 Don't change the rules. Don't take the
17 power from the voters through this predetermined
18 outcome. End this partisan practice. Stop wasting
19 taxpayers' dollars -- that may have been mine.
20 Corruption when diversity of opinions are silenced.

21 Listen to what the voters are saying.
22 You've heard the numbers all day. My colleagues have
23 told you all day. Voters, Republicans, Democrats,
24 they don't like this. They gave you the number.

25 I think it was, like, 56 percent. This is

1 not what our voters want us to do. Vote on a map to
2 decide within 24 hours. Don't support this map. No
3 regard to Florida Fair Districts Amendment. 56
4 percent of your voters surveyed do not want mid-decade
5 redistricting. We want fairness, equal
6 representation, Black, White, Brown, Yellow of all
7 people. That was just some of the things they said.

8 But we're moving forward, and we're going to
9 do this. And I know nothing I say will change
10 anyone's mind. But I'm going to say this, just
11 because something is legal does not make it right.

12 I'm also going to say this. We listened to
13 Jason Pareda, who told us he published the map. I
14 told you, I don't believe that. We also listened to
15 the Governor's attorney who told you they don't have
16 to follow the law.

17 I will remind some of you that that is the
18 same attorney that represented the Governor in
19 opposition of one of our very own, in opposition of
20 one of our very own, saying she wasn't qualified to
21 return to this chamber. Obviously, his argument was
22 unanimously rejected by the Florida Supreme Court.
23 That's the same attorney.

24 So I ask you, why should we trust what he
25 says about this map? Instead of doing what Floridians

1 deserve, and that's allowing them to have freedom to
2 choose their leaders because they know who best will
3 look out for their future interests, you've heard it
4 over and over. People who will take care of their
5 children, their families, their communities, not us,
6 not the politicians who are only looking out for their
7 own political ambitions, but we talk about trust.

8 They're not going to trust us. They're not
9 going to trust you. What we need to do is get back to
10 the work of the doing the job that we, Senators, we,
11 us, were elected to do, lowering costs, raising wages,
12 and creating a more affordable, brighter future for
13 all Floridians, not diluting or diminishing their
14 voting power.

15 And that's another subject I didn't even
16 talk about. But we sit here. We decide this map.
17 Hopefully, it goes into litigation, which I know it
18 will. And then what do the supervisors of elections
19 do to make all of this happen for these very same
20 voters?

21 How much is that going to cost us? We have
22 a job to do. We have a job to do. And the job is to
23 support the people who elected us to represent them,
24 and this is not what we're doing here today.

25 MR. PRESIDENT: Additional debate. Senator

1 Jones in debate.

2 SENATOR JONES: Thank you so much, Mr.
3 President. And to members, I know the time here is
4 late, so I'm not going to be long.

5 I don't know if you all have ever read the,
6 book Profiles in Courage, John F. Kennedy. In 2015,
7 Mr. President, I had the opportunity to go to the
8 Harvard Business School for three weeks when I first
9 got elected, and that was one of the books that they
10 asked us to read, Democrats, Republicans, all within
11 this room.

12 And I always grew fond of a quote that was
13 inside the book by John F. Kennedy, and he said that
14 the stories of past courage can define that
15 ingredient. They can teach. They can offer hope.
16 They provide inspiration.

17 But here's the best part I love. It says,
18 but they cannot supply courage itself. For this, each
19 man must look into his own soul. John F. Kennedy said
20 that in Profiles of Courage.

21 Then I thought about it that when my cousins
22 and I, when we were younger, Senator Rouson, we would
23 go to the park and play, Jason Pizzo. And when we
24 would go to the park and play, sometimes we would get
25 into trouble because there'll be other individuals.

1 My cousins, they probably wanted to fight us.

2 And we go back to my grandma, and my grandma
3 said, y'all go back to that park, and y'all better not
4 come back if y'all not going to win, and you better
5 put up a good fight.

6 That's what I'm telling you all about
7 Washington DC. What I'm telling you all about
8 Washington DC is we don't have to do this because
9 Washington told us to. Cousins, Senate, we can go
10 back. We can put up this fight and punch back for the
11 people of this state.

12 Why? Because I think I heard Senator
13 Sharief said it, and I said it yesterday, because we
14 had a deal with the people of Florida.

15 And I'll be very clear. I'm not going to go
16 over many of the things that has already been said by
17 many of my colleagues because you've got -- you got
18 the point. But I don't want you all to think for two
19 seconds that the speeches that you are hearing are
20 speeches because this is just any kind of old bill
21 that we're voting on right now.

22 This is not just any kind of bill. What
23 we're about to vote on today is America and the people
24 of this state, and they are looking at us to ask us
25 the question, are we going to continue this testing of

1 the breaking down of our democratic process? Nobody
2 in this room can say that you don't see it.

3 In 2010, you heard it, the people of this
4 state, they signed a contract with us because they put
5 what they wanted on the ballot, and they gave us their
6 decision. 63 percent of them did.

7 They passed the Fair Districts Amendment to
8 stop partisan gerrymandering. You know the language.
9 You know it. You know what section it's in, because
10 you've heard it since we've -- since we've been not
11 here. To prevent what?

12 To prevent diminishment of minority, vogue,
13 and strip. Not politicians, not parties, the people.
14 And those amendments are still the law today, and many
15 of you have said it. Those are not -- and they were
16 not suggestions. They were mandates from the people.

17 Just like the Fourteenth Amendment, it was a
18 mandate. And just like our Constitution, it's a
19 mandate. There's nothing wrong with our Constitution.
20 I said it yesterday. There's nothing wrong with the
21 Fourteenth Amendment. I said it yesterday. And still
22 to this day, members, there is nothing wrong with the
23 Fair District Act.

24 And I get it. And Senate Pizzo, you're
25 right. I'm no attorney. Sometimes I wish I was one,

1 because y'all are good sometimes. But I do understand
2 the letter of the law to the extent to how not just
3 how it's explained, but also what it is and how it
4 reads on paper, because I can read. And I know you
5 all can too.

6 I'm going to skip a lot of this, what I was
7 going to say, and I'm going to pull out one thing, and
8 I'm going to close because, again, everything else
9 already has been said, I debated yesterday. And that
10 is the trust of this process with the people.

11 If you can't roll with me on anything else,
12 roll with me on this, y'all, on the fact that your
13 constituents have an expectation of us, and their
14 expectation is that when we come inside this
15 deliberate body that we do right by them.

16 If you have not read, this is also not
17 popular with some Republicans, and I'm not even
18 talking about in this room. I'm talking about outside
19 these chambers. And it's reflected because 56 or 57
20 percent of the people of this state, they did not --
21 they do not want any gerrymandered maps.

22 So I close with this because I'm hoping that
23 I don't want to talk at you. I don't want to do any
24 of that, but call us all in for the moment. And if
25 anybody who said I've read somebody on Twitter said

1 that y'all need to go after -- go after Republicans.
2 Y'all need to make sure -- listen.

3 Hear me what I'm telling you, and I don't
4 care if you don't like me after I say it. This
5 country and where we are right now, everybody has gone
6 to their side of the wall, and nobody is talking to
7 nobody.

8 And if I can't tell you all anything else,
9 if you could hear me when I tell you -- I don't have
10 children yet. Many of you do. You have
11 grandchildren. You have nieces, and you have nephews.
12 There's going to come a time to where your children,
13 your grandchildren, your nieces, and your nephews are
14 going to ask you the question, what did you do in this
15 moment?

16 I can't tell y'all what to do here. I can't
17 campaign for you when you go back home for you to say
18 why you voted for this. You got to give the reason on
19 why you voted for this. But what I hope you can do is
20 answer your children, your grandchildren, your nieces,
21 and your nephews. I hope you can tell them that I did
22 this because it was the right thing to do.

23 I saw some of my colleagues yesterday take a
24 page out of that book of Profiles in Courage. I'm not
25 going to call them out because they know who they are.

1 When that board light up, I hope some of you other
2 ones that you take a book a page out of Profiles in
3 Courage, not because you're trying to follow what
4 somebody is telling you to do, but you're doing it
5 because it's the right thing to do. Thank you, Mr.
6 President.

7 MR. PRESIDENT: Additional debate. Seeing
8 none, the Senator of the 1st District, President
9 Gaetz, you are recognized to close on the bill.

10 SENATOR GAETZ: Thank you, Mr. President.
11 My colleagues are absolutely correct that there's more
12 to do and more we should do than talking about this
13 issue. A whole host of issues that really affect how
14 the people afford to live and how they work and how
15 they care for their families and their businesses.
16 But let's not kid ourselves.

17 We will have spent two days on an issue of
18 Congressional redistricting, which some folks in this
19 room have said is a seminal issue that our
20 grandchildren will demand to know how we voted on.

21 So it's pretty important. But remember that
22 we'll be back here in a few days with Chair Hooper,
23 and we will be discussing and working on and grinding
24 through and solving, I hope, over \$100,000,000,000
25 worth of issues that have to do with the kitchen table

1 concerns of the people of Florida. So we're not
2 discarding those issues. We're not not dealing with
3 those issues. We are.

4 Believe me, Chair Hooper is going to lead us
5 through a process where we'll have plenty of time to
6 chew on every one of those things. And there'll be
7 great debate, and there'll be great discussion, and I
8 hope great decisions.

9 And then this Governor that some of us, some
10 in this chamber, are so troubled by, is also calling
11 us back into special session to deal with another
12 kitchen table issue, and that's property taxes that
13 affect people all over the State of Florida. Not an
14 easy issue to solve.

15 I haven't seen, you know, I've seen some
16 suggestions come from this body. Actually, some
17 pretty good suggestions. But I've not seen a plan
18 yet, but there will be, I suppose I suspect I hope a
19 plan that will come from the Governor's Office, and
20 that will provide the basis for us to carry forward
21 with a debate, a discussion on that.

22 The point I want to make is to those who may
23 be listening and to all of us who deal with these
24 issues every day, just because we're talking about
25 redistricting of Congressional districts for two days

1 Doesn't mean that we're not concerned about the other
2 issues that we're dealing with because we have been
3 and because we are and because we will be.

4 So be confident that you'll have plenty of
5 opportunity to deal with all of that. Been a lot of,
6 lot of things said today. You know, it really does
7 call to mind the saying that, everything has been said
8 but not by everybody. But I think everybody said it
9 today. Everyone has had their opportunity. There's
10 been good debate, been passionate debate, maybe even a
11 little hyperbole here and there. It's not quite the
12 end of the world. These are not the, you know, times
13 where we have to make final choices about living and
14 dying, I hope, in this issue.

15 But the Governor has a constitutional role
16 and responsibility in Congressional redistricting. He
17 doesn't in redistricting of House and Senate seats in
18 this chamber and across the hall.

19 And so in answer to the question, well, why
20 isn't the Governor asking us to redraw lines for
21 Senate and House districts? Why aren't we doing that?
22 It's because the Governor does not have a role in
23 that, and so we can't criticize him for not raising
24 that issue and saying, well, because of population
25 shifts, shouldn't we be redrawing Senate districts and

1 House districts?

2 The fact is that's not his prerogative.
3 That's your prerogative. It is the Governor's
4 responsibility, and he has only a responsibility as to
5 redistricting with respect to Congressional districts.
6 As Luis proposed, a map.

7 And some people don't like the map very much
8 because it maybe bisects or trisects or slices or
9 dices areas or communities that you think ought to be
10 handled in a different way. And, therefore, that
11 always happens. I can tell you, I've lived through
12 three redistrictings. I can show you the wounds in my
13 side.

14 And I can tell you that in every one of
15 those cases, anytime anybody starts drawing lines
16 across the cities and counties of the State of
17 Florida, you're going to bisect and trisect some
18 people and some communities.

19 It always happens. It's inevitable if
20 you're going to have compact districts and if you're
21 going to follow the law.

22 So the Governor has a prerogative. He has
23 followed that prerogative. He's proposed a map. The
24 map meets the standards of compactness. We've had a
25 good discussion about that, but we also have

1 testimony. Testimony that I've referred to before and
2 have quoted. And that the, you know, as you as the
3 compactness calculus is defined, we have about the
4 same compactness calculus, in the Governor's proposed
5 map as we do in the existing map that we have now.

6 And then there are the questions about
7 cutting cities and counties. You cut in cities and
8 counties every time you do redistricting. It's
9 inevitable. And in the current map, there are 50
10 counties that are kept whole. There, in other words,
11 there are counties with only one district. In the
12 Governor's map, it's 48.

13 So it's two more, but it's not the end of
14 the world. And cities with only one district, well,
15 there are 396 on the current map and 382 on the
16 Governor's map. Again, a little bit of difference,
17 but not the end of the world.

18 So let's not live -- let's not say here or
19 say back home that counties and cities have been
20 destroyed. The fact is it's pretty close to, in terms
21 of the number of cities and counties that are kept
22 whole or sliced and diced, about the same as the
23 current map.

24 Why in the world is the Governor doing this?
25 He gave us two reasons. His reasons are, number one,

1 that we have, a disproportionate population influx in
2 some parts of the state. And the Governor's map
3 drawers have used what they say are the only valid
4 numbers that they could, the 2020 Census. And then,
5 the United States Census Bureau provides on a three-
6 year basis an analysis because they look at population
7 about 3 percent of the population of where their
8 shifts might be.

9 And the Governors use the EDR analysis and
10 come back and said, well, here are the counties that
11 have gotten bigger and the counties that haven't
12 gotten as big. And there's been no criticism, no
13 debate, no proof, no evidence offered on this floor in
14 the Rules Committee that any of the EDR analysis is
15 wrong.

16 And so that's what we have. We have the
17 evidence before us that there's population shifts.
18 Some parts of our state, because of the significant
19 growth we've had, 9 percent growth, 1,800,000 people,
20 that those people are somewhere.

21 And they are -- and because they are
22 somewhere, the question that arises, is there equal
23 representation? If there are more people in a
24 Congressional district on the north side of the
25 railroad tracks and fewer people in the Congressional

1 district on the south side of the railroad tracks, the
2 fact is there is not equal representation. There is
3 not one person, one vote.

4 And so the Governor's proposal is to try to
5 remedy that, and his maps are represented to remedy
6 that. And as the map drawer explained, there are
7 exactly the same number of individual citizens in each
8 one of the Congressional districts that the Governor's
9 Office has proposed.

10 And we can't really deny that there are
11 1,800,000 more people. And we can't really deny that
12 if more people move in a Congressional district next
13 door, that you have a diminishment of electoral power
14 if you have more people in one district and fewer
15 people in another. And that's what we have.

16 So what do you do in a situation like that?
17 Well, you can do mid-decade redistricting. It's been
18 done before. It's been done as a result of court
19 order. It's been done as a result of impetus from
20 legislatures and from governors. And there are seven
21 states that have done it already. And four times we
22 had done it in the State of Florida because we've been
23 required to do so.

24 And so, therefore, mid-decade redistricting
25 is not uncommon. It's not unprecedented. It can be

1 done. And what would be a good reason to do it? A
2 good reason to do it would be that we have an
3 extraordinarily unique situation in Florida with this
4 tremendous additional number of people who moved to
5 our state and have been disproportionately placed in
6 different parts of the state.

7 That would be the reason to do it, to ensure
8 that as soon as possible, and that's because that's
9 why the Governor says do it now, as soon as possible,
10 we can really get to closer to as close as we possibly
11 can to one person, one vote.

12 And the second reason he says is because he
13 wants, he believes and I think in this chamber, there
14 has been extraordinary support for that belief as it
15 pertains to other public policies, that race ought not
16 to be an issue that defines or divides us. And
17 therefore, he doesn't want lines that define or divide
18 us on the basis of race.

19 Not only does he not want it, he thinks it's
20 unconstitutional and he offers a legal theory. We
21 talk about our oath, and I think it's good we talk
22 about our oath.

23 It's an oath to preserve and protect the
24 Constitution of the State of Florida and of the United
25 States Of America. Well, the Governor's legal theory

1 is that the Constitution of the United States provides
2 equal protection, and the Constitution of the State of
3 Florida may not. Now that'll be a case that will
4 ripen and go to the courts, but that's his legal
5 theory.

6 So when you promise an oath, when you pledge
7 an oath to the Constitution of our state and of the
8 United States, and if there is a conflict -- and
9 sometimes there is a conflict between state law and
10 federal law, and between state constitutions and
11 federal constitutions.

12 And the Governor's legal theory is that
13 there is, and that there ought not to be lines drawn
14 on the basis of race, and that it is unconstitutional
15 with respect to the United States Constitution.

16 What do you do when you have a conflict like
17 that? Well, you could look you could look to the
18 courts to decide it. You can look to history to guide
19 it. The last time I looked, Lee offered his sword to
20 Grant at Appomattox, not the other way around.

21 So the Supremacy Clause suggests that when
22 there is a conflict between the Federal Constitution
23 and the State Constitution, the Federal Constitution
24 dominates. And that's the Governor's legal theory.
25 That is his theory of the case.

1 And then, of course, we come to the case of
2 Louisiana, which, interestingly enough, gets dropped
3 in our lap today. And you can look at that, you can
4 look at that case and you can read it.

5 I truly believe that Senator Pizzo would be
6 ready today. My guess is that he's read the whole
7 doggone thing, and he'd be ready to go toe to toe with
8 any one of us on that issue.

9 What I will say this, no matter how you read
10 it, you know that that legal -- that that Supreme
11 Court opinion that dropped today does not make it
12 easier to draw lines based on racial preference. It
13 makes it harder. It raises the standard.

14 It says that the only time you can do it is
15 when you have an egregious practice that has to be
16 remedied by changing the lines. And in the State of
17 Florida, there is no evidence that's been presented in
18 the Rules Committee or presented on this floor,
19 evidence, not even an argument, that suggests there is
20 that kind of egregious discrimination that requires us
21 to draw lines on the basis of race.

22 So, you know, there are members here today
23 who said, well, we need to decide what's right and
24 wrong. And this comes down to, you know, the oath
25 that you took and the beliefs that you have.

1 And I become persuaded even more so being
2 back in this chamber in the last two years that we
3 need to do less and less in dividing our state and
4 dividing each other and dividing issues on the basis
5 of race, and we need to do more and more to make sure
6 that race is not a dividing issue.

7 And we've made all sorts of choices in this
8 chamber in the last two years to do that. And now the
9 Governor has asked us, he's told us, and that in his
10 judgment, in his legal opinion, that the United States
11 constitution requires us to not draw lines on the
12 basis of race.

13 And there are many things about the
14 Governor's proposal that I have tried, as carefully as
15 I can, to explain are the Governor's proposal.
16 They're not Don Gaetz's proposal. They're the
17 Governor's proposal.

18 But I will tell you this, I agree with the
19 Governor that we should not be drawing lines on the
20 basis of race. I agree with the Governor about that.
21 I think it's the strongest part of his of his
22 argument.

23 Now, the Governor's legal team and I
24 disagree about this. And, of course, I'm not a lawyer
25 and they're probably going to make all kinds of cases

1 and all kinds of arguments about why I'm wrong, but I
2 believe that the rest of the Fair Districts Amendment
3 could and should and ought to stand. I don't think we
4 should do gerrymandering on the basis of political
5 partisanship. And I don't think this map. I think
6 there's -- there's no evidence have been presented on
7 this floor that this map does that. There's argument.
8 There's contention. There's opinion, but no evidence.

9 I believe that we should be required to
10 follow all of the other demands of the Fair Districts
11 Amendment. If it turns out that defining and writing
12 and drawing lines on the basis of race is wrong and is
13 unconstitutional on the basis of the federal
14 constitution, I still believe everything else in the
15 Fair Districts Amendment ought to stand and should
16 stand and does stand. And as one senator, I will do
17 everything I can to keep all of those provisions in
18 law, whether or not my own party agrees with me.

19 So, what are we left with? Well, some, some
20 members in this body say that we're being dictated to.
21 I don't know all of you as well as I'd like, but I
22 know all of you to some extent. I don't know any of
23 you who like to be dictated to. You're a pretty
24 independent group of cusses. I don't think that you
25 do very well being told.

1 And I will tell you this, I've not been
2 dictated to. Nobody from the White House told me that
3 I ought to stand up here today and make the arguments
4 that I'm making and that I ought to place my name on
5 this bill. Nobody in the Governor's Office asked me
6 to. The Governor didn't call me. He didn't say, hey,
7 Don. You know, I need you to do this for my buddy.
8 He didn't do that.

9 Instead, I have a responsibility like each
10 one of you do. Each one of you have responsibilities
11 in your committees. Many of you are committee chairs
12 or vice chairs.

13 And if it falls to you because of an issue
14 that is within the jurisdiction of your committee to
15 present legislation on behalf of the Governor or on
16 behalf of the of the Senate itself, I mean, you'll
17 make that choice. I did too. I was asked if I would
18 present this bill that the Governor transmitted to us,
19 and I said I would.

20 I said I would because I think it's my
21 responsibility to make sure that when the Governor of
22 the State of Florida, whether I like him or not,
23 whether he's my party or not, when he asks us within
24 his authority and jurisdiction to take up a general
25 bill, I think it's the least we can do to take it up

1 thoughtfully and respectfully and debate it carefully
2 and thoroughly, and then vote our conscience and vote
3 as we will.

4 And that's what we've done. So I want to
5 compliment my fellow Senators. I know that, you know,
6 maybe the rhetoric has gotten a little away with some
7 of us, but by the same token, I thank you for your
8 thoughtful and considered debate. I thank you for
9 taking the Governor's proposal seriously. Some of you
10 very, very seriously, seriously enough to think it's
11 close to, you know, the end of the world.

12 And others of you to take it seriously
13 because you believe, as I do, that drawing lines on
14 the basis of race is wrong and unconstitutional. But
15 whatever you believe, it's not the Governor's bill
16 anymore. Now it's our bill. Now it comes to this
17 floor and to the floor of the of the House. The House
18 has already acted. And so we have the House bill
19 before us. And we have the final decision. We have
20 the final vote.

21 And so this is not the Governor's decision.
22 It sure is not the President's decision. It's not any
23 political party's decision. Nobody told me to do
24 this. Nobody told you how to vote, but it is your
25 decision. And this this is why it's such an honor to

1 be a Florida Senator. Because at the end of the day,
2 nobody will tell you what to do on this vote.

3 At the end of the day, you will decide
4 what's logical, what's rational, what's thoughtful,
5 what will work, and what is moral and right, and
6 you'll vote your conscience. And that's what I ask
7 you to do. Thank you, Mr. President.

8 MR. PRESIDENT: Secretary will unlock the
9 board, and Senators, proceed to vote. Have all
10 Senators voted? Lock the board, record the vote.

11 THE CLERK: 21 yeas, 17 nays, Mr. President.

12 MR. PRESIDENT: So the bill passes. Before
13 I recognize the Rules Chair for a motion, are there
14 any announcements?

15 Rules Chair Passidomo, you're recognized.

16 SENATOR PASSIDOMO: Thank you, Mr.
17 President. I move that the Senate adjourns sine die.

18 MR. PRESIDENT: Without objection, show the
19 motion adopted. The Senate is now adjourned sine die.

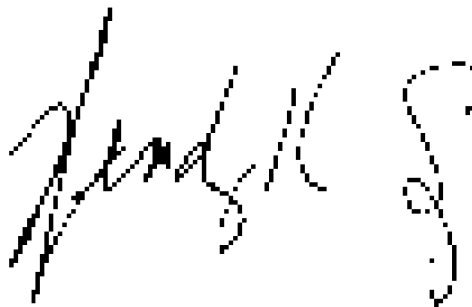
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DATED this 30th day of April, 2026.

A handwritten signature in black ink, appearing to read 'Wendy K. Sawyer', is written over a horizontal line.

WENDY K. SAWYER, CDLT

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