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Common Cause, et al.	)	
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v.	)	4:22-cv-109
	)	
Cord Byrd	)	
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Transcription of Audio File  
Senate Session - The Florida Channel  
January 19, 2022

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1 (Recording begins.)

2 SENATOR SIMPSON: The Senate will be in  
3 order. The senators and the guests in the gallery will  
4 please rise for the opening prayer to be given this  
5 afternoon by Zach Terry, pastor, First Baptist Church  
6 Fernandina Beach, sponsored by the senator of the 4th,  
7 Senator President Pro Tem Aaron Bean. You're  
8 recognized.

9 MR. TERRY: Let us pray. Our Father, I'm  
10 humbled and honored to stand before this distinguished  
11 assembly and to speak to you on their behalf. In your  
12 Word we are told that the day will come when the  
13 government will be on the shoulders of your Son, our  
14 Lord Jesus Christ. He will rule as king, as judge, and  
15 as law giver. He will rule in perfect power, perfect  
16 knowledge, and perfect goodness. Until then, in your  
17 providence, you have appointed men and women to carry  
18 that burden for our state.

19 And so, Father, we humble ourselves before  
20 you, asking you to provide for them by your Holy  
21 Spirit. Give them the wisdom of Solomon as they form  
22 the laws and statutes of this great state. Give them  
23 the courage of Joshua as they endure the criticism that  
24 follows any leader. Give them the heart of David that  
25 their hearts may follow your heart.

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1 And, Father, if you provide these things, and  
2 if we have the faith to receive them and to walk in  
3 them, I am confident that Florida will experience your  
4 blessing, your protection and your grace in the days  
5 ahead. These things we ask in the name that is above  
6 every name, Jesus who is the Christ. Amen.

7 SENATOR SIMPSON: Please remain standing for  
8 the Pledge of Allegiance to be led this morning by our  
9 senate pages or some of our senate pages, Isabel Polett  
10 of Miami, sponsored by the senator of the 37th  
11 district, Senator Garcia; Ace Cobb of Orlando,  
12 sponsored by the senator of the 10th district, myself;  
13 and Senator Aaron Johnson, Senator Harrell's grandson,  
14 Jenson Beach, sponsored by the senator of the 25th  
15 district, Senator Harrell. You're recognized.

16 (Pledge of Allegiance)

17 SENATOR SIMPSON: Our doctor of the day is  
18 Dr. Colleen Bell of Jacksonville sponsored by the  
19 senator of the 4th, Senator Bean. I think it's Bean  
20 day at the capitol. Dr. Bell specializes in  
21 psychiatry. So do not go to her with COVID problems.

22 We will now continue -- well, before we  
23 continue with the order of business, I have to call a  
24 few folks out. Obviously, y'all met Aaron Johnson,  
25 Senator Harrell's grandson. Was he wearing red for Ed

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1 also today? He was not.

2 But we also have two other young men that I  
3 sponsored today, Xavier Avererra and Ace Cobb. And the  
4 reason I called them out today -- where are they? Hey,  
5 y'all come to the front. They need to know that I  
6 sponsored these two pages. And they both went to  
7 Orlando Jones. And I figured that out yesterday. And  
8 I said, well, you know, I'm going to have to call this  
9 out on the floor because that 1983 Pasco Pirate team I  
10 think beat them down pretty good. And -- yeah. I said  
11 that on the mike. So the Pasco Pirates, that 1983 team  
12 beat them down pretty good. And -- but we're proud  
13 that y'all are here today. And it was the least I  
14 could do after what we did back then. Thank y'all for  
15 being here.

16 All right. Now we will continue with the  
17 order of business. Are there committees of reports?

18 UNIDENTIFIED MALE: None on the desk,  
19 Mr. President.

20 SENATOR SIMPSON: Are there motions relating  
21 to committee reference?

22 UNIDENTIFIED MALE: None on the desk,  
23 Mr. President.

24 SENATOR SIMPSON: Are there messages from the  
25 governor or other executive communications?



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1 UNIDENTIFIED MALE: None on the desk,  
2 Mr. President.

3 SENATOR SIMPSON: Are there messages from the  
4 House of Representatives?

5 UNIDENTIFIED MALE: None on the desk,  
6 Mr. President.

7 SENATOR SIMPSON: Are there matters on  
8 reconsideration?

9 UNIDENTIFIED MALE: None on the desk,  
10 Mr. President.

11 SENATOR SIMPSON: Before we take up the  
12 special order calendar, I'm going to recognize a few  
13 senators. They have recognitions. Senator Harrell  
14 from the 25th, you are recognized.

15 SENATOR HARRELL: Thank you so very much,  
16 Mr. President. And thank you for acknowledging my  
17 wonderful grandson, Aaron Johnson. We're so delighted  
18 he is here.

19 But this is also Treasure Coast days. And I  
20 have a wonderful delegation from the Treasure Coast  
21 over here in the east gallery. And I would ask them  
22 all to stand, please. Everyone from the Treasure  
23 Coast. And we have Dr. Brian Moriarty, Missy Campbell,  
24 Tim Taylor, Laney Munich, Marshall Crutchfield, Kelly  
25 Johnson, Jaime Fowler, all from the Treasure Coast.

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1 And thank you, thank you for braving the cold weather  
2 and coming to Tallahassee. We so appreciate everything  
3 you do for the wonderful Treasure Coast.

4 SENATOR SIMPSON: Senator Rodriguez of the  
5 39th, you're recognized for recognition.

6 SENATOR RODRIGUEZ: Thank you, Mr. President.  
7 I want to take this opportunity to recognize some of  
8 our friends from the greater Miami Chamber of Commerce  
9 who are here sitting in the west gallery. If you could  
10 please stand up and be recognized. Welcome to the  
11 Florida Senate.

12 SENATOR SIMPSON: Welcome to the Senate.

13 Senator Wright of the 14th district, you are  
14 recognized for a recognition.

15 SENATOR WRIGHT: There it is. Thank you.  
16 Thank you very much, Mr. President. I appreciate that.  
17 Kate McFall is here today with her folks. This is  
18 Humane Lobby Day. We have with us today in the west  
19 wing of the chamber here people from all over Florida  
20 that are participating in Humane Lobby Day advocating  
21 for animal protection. Thank you for being here and  
22 for all the hard work you do to protect and love our  
23 animals in Florida. Thank you.

24 SENATOR SIMPSON: Welcome to the Senate.

25 Senator Albritton of the 26th district, you

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1 are recognized for recognition.

2 SENATOR ALBRITTON: Thank you, Mr. President.  
3 Thanks for the opportunity.

4 So Florida's forestry industry is a  
5 \$25 billion driver of Florida's economy. In the  
6 gallery are members of the board of directors from the  
7 Florida Forestry Association. If you would, take a  
8 stand. Welcome to the Florida Senate.

9 SENATOR SIMPSON: Welcome to the Senate.

10 SENATOR ALBRITTON: And, Mr. President, I  
11 have one other. Three of the county commissioners from  
12 Hardee County are here, my home county, and the county  
13 manager. If you would, please stand, we have Noe  
14 Flores, Renee Wyatt, Russell Melende -- whom I refuse  
15 to call Russell. I call him Russ. Our families have  
16 known each other about four generations -- and Lawrence  
17 McKnoll. So thank you for being here.

18 SENATOR SIMPSON: Senator Burgess of the  
19 20th district, you're recognized.

20 SENATOR BURGESS: Thank you very much,  
21 Mr. President. I think we have some mutual friends up  
22 here in the west I believe -- no. That's the east  
23 gallery behind us over here. If Pasco County could  
24 please stand up and say hello to everybody. We're very  
25 proud of you. We love you. And I think I speak on

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1   behalf of all them in the gallery, Mr. President, and  
2   everybody back home, thank you for all you've done for  
3   our home for the last ten years. We appreciate you.

4               SENATOR SIMPSON: It's just about time Pasco  
5   got its fair share; right? Just joking.

6               Senator Farmer, you're recognized for a  
7   recognition.

8               SENATOR FARMER: Thank you, Mr. President.

9               And this week we have Broward days going on  
10   here in the Florida legislature. We've got  
11   representatives from various cities in Broward County  
12   as well as numerous interested constituents and members  
13   of the county. A joke -- Peter Shore's joke this  
14   morning, I think it's the only time where we've got a  
15   majority Democrats in the capital is when Broward days  
16   occurs. We've got our Broward people up here. But  
17   they've been scattered throughout the capitol, meeting  
18   with members, and advocating for Broward County which  
19   has been my home for pretty much my whole life. So I  
20   want to thank them for being here and recognize them.

21              Thank you, Mr. President.

22              SENATOR SIMPSON: Welcome to the Senate.

23              Senator Polsky of the 29th district, you are  
24   recognized for a recognition.

25              SENATOR POLSKY: Thank you, Mr. President, I



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1 would like to recognize Jonathan Price of the Faulk  
2 Center, a very important facility that provides mental  
3 health to the residents. It's located in Boca Raton,  
4 but to residents throughout the state through  
5 telehealth. Thank you so much for advocating on behalf  
6 of mental health and welcome to the Florida capitol.

7 SENATOR SIMPSON: Welcome to the Senate.

8 Seeing no other business, take up the special  
9 order calendar -- Aaron Bean. Senator Bean, you are  
10 recognized for several recognitions.

11 SENATOR BEAN: Thank you very much,  
12 Mr. President. Good afternoon to you and good  
13 afternoon, Florida Senate.

14 We all know what the American dream is.  
15 Maybe it's a different interpretation of it. Maybe  
16 it's buying a house. Maybe it's moving to Florida.  
17 Maybe it's having your kids do better than you. We can  
18 debate what the American dream is, but can I tell you  
19 about the Florida dream?

20 The Florida dream is what people are doing  
21 right now across the Midwest in snowstorms that are all  
22 up and down the East Coast. The Florida dream is to  
23 save up enough money to load up the family station  
24 wagon or minivan and come to Florida to vacation. How  
25 about that? In fact, last year, thanks to this

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1 legislature and our governor, Florida was open for  
2 business. And thank goodness they were. Because the  
3 money that we generate from that tourism when those  
4 minivans and SUVs come is the money that we spend on  
5 health care and education and roads and all kinds of  
6 good things.

7 We have 1.5 million people in the tourism  
8 business to welcome those minivans and SUVs. And today  
9 is the day we celebrate everything tourism. It's  
10 Florida Tourism Day. And here to kick things off are  
11 leaders from the Florida Restaurant and Lodging  
12 Association. 10,000 members strong that put together  
13 the welcome mat. They're led by the executive Carol  
14 Dover. And I know we can argue, well, thank goodness  
15 for agriculture, thank goodness for tourism because  
16 that's what puts money in our pocket that we're able to  
17 spend it on this floor.

18 So, ladies and gentlemen, if you're part of  
19 the 1.5 million tourism welcome mat and part of that  
20 industry, will you please stand in that we may  
21 recognize you. And there they are. Thank you. Not  
22 many of them are here because they're working out  
23 there, welcoming those visitors.

24 And, Mr. President, with your permission, one  
25 bonus recognition, and that is this. And it's

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1 something that we can all relate to because the one  
2 thing that unites us, Senators, is that we're all here  
3 because a team, a group of people, believed in us,  
4 believed in us to send us here. And we're all here but  
5 for the work of that team and of our friends and  
6 family. Over the last 24 hours, I've invited a whole  
7 bunch of those people that gave me the privilege of  
8 being their senator. And I invited them to come and  
9 shadow me for 24 hours. They're dropping like flies,  
10 but there's still a handful here. There's still a  
11 handful here. And I am grateful for them. They're the  
12 community leaders of northeast Florida, but they're all  
13 over the state.

14 If you're a community leader from all over  
15 the state, part of the Bean coalition, please stand in  
16 that we may recognize you. Thank you so much for  
17 letting me serve you as your senator. Thank you very  
18 much.

19 SENATOR SIMPSON: Thank you. All right.  
20 Take up the special order calendar. Read the  
21 first bill.

22 UNIDENTIFIED MALE: Senate Bill 846, a bill  
23 to be entitled an act relating to the Florida statutes.

24 SENATOR SIMPSON: Senator of the 28th  
25 district, Rules Chair Passidomo, you're recognized to

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1 explain the bill.

2 SENATOR PASSIDOMO: Thank you, Mr. President.

3 I have a series of revisors bills. So stay tuned.

4 SB 846 is the adoption act for the Florida

5 statutes. It's enacted every regular session as an

6 essential element of the continuous statutory revision

7 program. The bill prospectively adopts the 2022

8 Florida statutes as an official document and more

9 importantly adopts as official laws passed by the 2021  
10 regular session.

11 SENATOR SIMPSON: Are there any amendments?

12 UNIDENTIFIED MALE: None on the desk,

13 Mr. President.

14 SENATOR SIMPSON: Are there any amendments?

15 UNIDENTIFIED MALE: None on the desk,

16 Mr. President.

17 SENATOR SIMPSON: Are there any questions on  
18 the bill?

19 By agreement of the Democrat and Republican  
20 leaders, senator of the 28th district, Senator  
21 Passidomo moves the bill be read a third time. Is  
22 there any objection?

23 Seeing none, show the motion adopted.

24 Read the bill.

25 UNIDENTIFIED MALE: Senate Bill 846, a bill



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1 to be entitled an act relating to the Florida statutes.

2 SENATOR SIMPSON: Is there any debate on the  
3 bill?

4 Senator of the 28th, you're recognized. The  
5 senator waives her close.

6 The secretary will unlock the board, and the  
7 senators will proceed to vote.

8 Lock the board and record the vote.

9 UNIDENTIFIED MALE: 34 yeas, 0 nays,  
10 Mr. President.

11 SENATOR SIMPSON: Show the bill passes.

12 Read the next bill.

13 UNIDENTIFIED MALE: Senate Bill 848, a  
14 revisors bill to be entitled an act relating to the  
15 Florida statutes.

16 SENATOR SIMPSON: Senator of the 28th  
17 district, Leader Passidomo, you're recognized.

18 SENATOR PASSIDOMO: Thank you, Mr. President.

19 Senate Bill 848 is the general revisors bill.  
20 The bill deals with miscellaneous subjects of a  
21 technical, nonsubstantive nature, corrects grammatical,  
22 typographical, and cross-reference errors.

23 SENATOR SIMPSON: Are there any amendments?

24 UNIDENTIFIED MALE: None on the desk,  
25 Mr. President.

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1 SENATOR SIMPSON: Are there any questions?

2 By agreement of the Democrat and Republican  
3 leaders, senator of the 28th district, Senator  
4 Passidomo moves the bill be read a third time.

5 Seeing no objection, show the motion adopted.  
6 Read the bill.

7 UNIDENTIFIED MALE: Senate Bill 848, a  
8 revisors bill to be entitled an act relating to the  
9 Florida statutes.

10 SENATOR SIMPSON: Is there any debate on the  
11 bill? Any debate?

12 Senator Passidomo waives her close.

13 The secretary with unlock the board, and the  
14 senators will proceed to vote.

15 Lock the board and record the vote.

16 UNIDENTIFIED MALE: 35 yeas, 0 nays,  
17 Mr. President.

18 SENATOR SIMPSON: Show the bill passes.

19 Read the next bill.

20 UNIDENTIFIED MALE: Senate Bill 850, a  
21 revisors bill to be entitled an act relating to the  
22 Florida statutes.

23 SENATOR SIMPSON: Senator of the 28th  
24 district, Senator Passidomo's recognized to explain the  
25 bill.

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1 SENATOR PASSIDOMO: Thank you, Mr. President.

2 SB 850 deletes statutory provisions that were  
3 repealed by an earlier session of the legislature. If  
4 that repeal or expiration date has now occurred, it  
5 renders the revisions of no effect.

6 SENATOR SIMPSON: Are there any questions?  
7 Are there any amendments?

8 UNIDENTIFIED MALE: None on the desk,  
9 Mr. President.

10 SENATOR SIMPSON: Are there any questions on  
11 the bill?

12 By agreement of the Democrat and Republican  
13 leaders, senator of the 28th district, Senator  
14 Passidomo moving the bill be read a third time.

15 Is there any objection?

16 Seeing none, show the motion adopted.

17 Read the bill.

18 UNIDENTIFIED MALE: Senate bill 850, a  
19 revisors bill entitled an act relating to the Florida  
20 statutes.

21 SENATOR SIMPSON: Is there any debate on the  
22 bill? Any debate?

23 Senator Passidomo waives her close.

24 The secretary will unlock the board, and  
25 senators will proceed to vote.

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1 Lock the board and record the vote.

2 UNIDENTIFIED MALE: 35 yeas, 0 nays,

3 Mr. President.

4 SENATOR SIMPSON: Show the bill passes.

5 Read the next bill.

6 UNIDENTIFIED MALE: Senate Bill 852, a  
7 revisors bill to be entitled an act relating to the  
8 Florida statutes.

9 SENATOR SIMPSON: Senator Passidomo, senator  
10 of the 28th district, you're recognized to explain the  
11 bill.

12 SENATOR PASSIDOMO: Thank you, Mr. President.  
13 SB 852 amends and repeals sections of the statutes that  
14 grant redundant or unused rule-making authority.

15 SENATOR SIMPSON: Are there any amendments?

16 UNIDENTIFIED MALE: None on the desk,  
17 Mr. President.

18 SENATOR SIMPSON: Are there any questions on  
19 the bill?

20 By agreement of the Democrat and Republican  
21 leaders, senator of the 28th district, Senator  
22 Passidomo moves the bill be read a third time.

23 Seeing no objection, show the motion adopted.  
24 Read the bill.

25 UNIDENTIFIED MALE: Senate Bill 852, a



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1 revisors bill to be entitled an act relating to the  
2 Florida statutes.

3 SENATOR SIMPSON: Is there any debate on the  
4 bill?

5 Senator of the 28th district waives her  
6 close.

7 The secretary will unlock the board, and  
8 senators will proceed to vote.

9 Lock the board and record the vote.

10 UNIDENTIFIED MALE: 35 yeas, 0 nays,  
11 Mr. President.

12 SENATOR SIMPSON: Show the bill passes.

13 Read the next bill.

14 UNIDENTIFIED MALE: Senate Bill 854, a  
15 revisors bill to be entitled an act relating to the  
16 Florida statutes.

17 SENATOR SIMPSON: Senator of the 28th  
18 district, Senator Passidomo, you're recognized to  
19 explain the bill.

20 SENATOR PASSIDOMO: Thank you, Mr. President.

21 SB 854 amends the Florida statutes to conform  
22 to the directive of this legislature passed last  
23 session to prepare a revisors bill to remove references  
24 to the division of pari-mutuel wagering and the  
25 Department of Business and Professional Regulation that

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1 relate to gaming and replace them with references to  
2 the Florida Gaming Commission.

3 SENATOR SIMPSON: Are there any amendments?

4 UNIDENTIFIED MALE: None on the desk,  
5 Mr. President.

6 SENATOR SIMPSON: Are there any questions on  
7 the bill?

8 By agreement of the Democrat and Republican  
9 leaders, senator of the 28th district, Senator  
10 Passidomo moves the bill be read a third time.

11 Seeing no objection, show the motion adopted.  
12 Read the bill.

13 UNIDENTIFIED MALE: Senate Bill 854, a  
14 revisors bill to be entitled an act relating to the  
15 Florida statutes.

16 SENATOR SIMPSON: Is there any debate on the  
17 bill?

18 Senator of the 28th district waives her  
19 close.

20 The secretary will unlock the board and  
21 senators will proceed to vote.

22 Lock the board and record the vote.

23 UNIDENTIFIED MALE: 35 yeas, 0 nays,  
24 Mr. President.

25 SENATOR SIMPSON: Show the bill passes.

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1 Read the next bill.

2 UNIDENTIFIED MALE: Senate Bill 7014, a bill  
3 to be entitled an act relating to COVID-19 related  
4 claims against health care providers.

5 SENATOR SIMPSON: The senator of the  
6 20th district, Senator Burgess, you are recognized to  
7 explain the bill.

8 SENATOR BURGESS: Thank you very much,  
9 Mr. President.

10 Senators, last year, we passed the COVID  
11 liability protections for health care providers. And I  
12 want to thank Senator Brandes for his hard work on that  
13 through the year. And this bill would extend that  
14 COVID liability protection to health care providers  
15 from March 29th of 2022 until June 1st of 2023. The  
16 goal, ensuring that health care providers are, as  
17 they're keeping us safe, they're not looking over their  
18 shoulder and wondering whether or not litigation is  
19 going to be ensuing when we're in the middle -- we're  
20 getting through a global pandemic. This date would  
21 ensure that we are aligned with the other expiration  
22 dates that we passed during special session.

23 That is the bill.

24 SENATOR SIMPSON: Are there any amendments?

25 UNIDENTIFIED MALE: None on the desk,

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1 Mr. President.

2 SENATOR SIMPSON: Are there any questions on  
3 the bill?

4 Senator Farmer, you are recognized for a  
5 question.

6 SENATOR FARMER: Thank you, Mr. President.

7 Senator Burgess, Chair Burgess, at the time  
8 we passed SB 72, we had not yet had access really  
9 statewide to any vaccines; is that correct?

10 SENATOR SIMPSON: You're recognized.

11 SENATOR BURGESS: Thank you, Mr. President.

12 That would be, if my memory serves me right,  
13 that would be correct. Yes. I'm trying to think back.  
14 It seems like an eternity ago now.

15 SENATOR SIMPSON: Senator Farmer, you're  
16 recognized.

17 SENATOR FARMER: Thank you, Mr. President.

18 It does. Time flies when you're not having  
19 fun I guess.

20 And at the time we passed SB 72, there was  
21 still a lot of uncertainty and some issues with regard  
22 to availability of PPE; isn't that also correct?

23 SENATOR SIMPSON: Senator Burgess, you're  
24 recognized.

25 SENATOR BURGESS: Thank you, Mr. President.



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1           The availability of PPE in the beginning days  
2   of the pandemic certainly were a challenge. Florida  
3   fared pretty fair when it came through. And we got our  
4   hands on quite a bit through, you know, the positive  
5   actions, I believe, at the executive branch, our  
6   governor's and their proactive response as well as  
7   through the DEM. Yeah. I mean, we all had our  
8   struggles with PPE.

9           I ran seven nursing homes at the time of the  
10   pandemic, you know, with my time at the Department of  
11   Veterans Affairs. There are veterans nursing homes.  
12   And, you know, we had our challenges with PPE. So I  
13   know that firsthand, yeah.

14           SENATOR SIMPSON: Senator Farmer, you're  
15   recognized.

16           SENATOR FARMER: Thank you.

17           But there's a lot more availability now of  
18   PPE than there was at the time we passed SB 72. I  
19   mean, you can even get pink KN 95 masks.

20           SENATOR SIMPSON: Senator Burgess, you're  
21   recognized.

22           SENATOR BURGESS: Mr. President.

23           That would be accurate. And I would submit  
24   that you match really well today.

25           SENATOR SIMPSON: Are there any additional

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1 questions on the bill? Any additional questions?

2 By agreement of the Democrat and Republican  
3 leaders, senator of the 20th district, Senator Burgess,  
4 moves the bill be read a third time.

5 Without objection, show that motion adopted.

6 Read the bill.

7 UNIDENTIFIED MALE: Senate Bill 7014, a bill  
8 to be entitled an act relating to COVID-19 related  
9 claims against health care providers.

10 SENATOR SIMPSON: Is there any debate on the  
11 bill? Any debate?

12 Senator Farmer, you're recognized in debate.

13 SENATOR FARMER: Thank you, Mr. President.

14 And, you know, that ironically Chinese  
15 proverb may you live in interesting times, it's  
16 certainly been an interesting time and a challenging  
17 time for us this past, now, I guess, two years dealing  
18 with this pandemic.

19 I did not agree with SB 72 when we passed it  
20 particularly the concept of immunity for health care  
21 practitioners and health care entities and in  
22 particular places like nursing homes and ALFs, I didn't  
23 believe was justified at the time. The argument that  
24 we heard primarily by the sponsor but others in support  
25 was that it was such an uncertain time, and we were

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1 still learning about COVID, and we weren't sure, and  
2 the guidelines were just coming out. CDC, departments  
3 of health were all still struggling with this. Supply  
4 chain issues. Unfortunately, we had sold a lot of our  
5 masks off to China and then we needed them and we  
6 didn't have them.

7 Senator Brandes loves -- loved to use the  
8 phrase at the time, you know, we had to MacGyver our  
9 way through the pandemic. And, you know, we all love  
10 MacGyver. He was ingenious in the solutions he found.

11 But we're passed all that now. There's no  
12 MacGyvering going on anymore. We now have vaccines.  
13 We now have new treatments that we didn't have at the  
14 time. We now know that maybe you shouldn't use  
15 ventilators as often as we were doing at the beginning  
16 of the pandemic. There's a wealth of knowledge and  
17 experience that we have gained in dealing with this  
18 pandemic.

19 But the one thing that hasn't changed in the  
20 last two years is that, if you're a nursing home  
21 resident or an ALF resident, you have absolutely no  
22 control over your environment. You are subject to the  
23 decisions and the whims of the owner of the facility.  
24 The owners of those facilities are being paid pretty  
25 handsomely with very favorable conditions otherwise

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1 under the Florida statutes when it comes to liability,  
2 they're being paid to do one job -- take care of mom  
3 and dad. Take care of grandma and grandpa. They  
4 should be held to a heightened standard. They should  
5 be testing all their employees regularly. If they get  
6 sick, they shouldn't be ordering them to come to work  
7 anyway. We know that happened. There are documented  
8 cases of that happening.

9 Under the legislation we initially passed and  
10 now under this extension, those people would be immune  
11 from liability.

12 I'm sorry. We're better than that. Our  
13 parents and grandparents and loved ones deserve better  
14 than that. The people that are being paid to take care  
15 of them should be required to do their best efforts to  
16 take care of them. And as long as they give their best  
17 effort in doing so, they're never going to be held  
18 liable.

19 But when you pass immunities like this, we  
20 have seen -- history has shown us that where you take  
21 away accountability, responsibility drops. It's just a  
22 fact. It's unfortunate that places that take care of  
23 these elderly folks don't understand that they have  
24 this inherent responsibility. But for some of them,  
25 for too many of them, it's only the threat of financial



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1 accountability that gets them to fly straight and do  
2 what they are bound to do.

3 And so, Senator Burgess, you are a caring,  
4 thoughtful member of this body. But I just -- I think  
5 this legislation goes too far. We gave that protection  
6 in those early uncertain times. I don't believe the  
7 justifications that I thought were somewhat slim at the  
8 time, even those justifications do not exist anymore.

9 Please let's vote no on this. Protect our  
10 most frail and vulnerable residents of this state. I  
11 ask you to vote no on this bill.

12 Thank you.

13 SENATOR SIMPSON: Thank you.

14 Is there any additional debate? Any  
15 additional debate? Seeing none, Senator Burgess,  
16 you're recognized to close.

17 SENATOR BURGESS: Thank you, Mr. President.  
18 And thank you, Senator Farmer, for your debate and what  
19 you've offered for discussion. You know, while we  
20 disagree, I respect that very much. And I appreciate  
21 that.

22 And if I had a bill before us, you know, that  
23 I felt did not afford a pathway in those situations  
24 where there was actual, true, true situations whereby  
25 the greater weight of the evidence there was

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1 intentional misconduct to use the standard that we're  
2 putting in this legislation or that we put in last  
3 year, you know, I would have heartburn with this bill.

4 But I do believe in those circumstances you  
5 mentioned, that we do have a path here to where the bad  
6 actors can still be pursued through litigation. But  
7 what we're doing is making sure that the rest of our  
8 nursing home providers, health care providers, everyone  
9 out there that is doing all they can to do right with  
10 less. Less with -- more with less as we say in the  
11 military, that they don't have to look over their  
12 shoulders and wonder if they're going to be sued when  
13 they're dealing with an unprecedented virus.

14 So for that, I ask for everybody's favorable  
15 support. And thank you for your time.

16 SENATOR SIMPSON: The secretary will unlock  
17 the board, and senators will proceed to vote.

18 Lock the board and record the vote.

19 UNIDENTIFIED MALE: 22 yeas, 13 nays,  
20 Mr. President.

21 SENATOR SIMPSON: Show the bill passes.  
22 Read the next bill.

23 UNIDENTIFIED MALE: Committee substitute for  
24 Senate Bill 96, a bill to be entitled an act relating  
25 to the emergency preparedness and response fund.

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1           SENATOR SIMPSON: Senator of the 20th  
2 district, Senator Burgess, you are recognized to  
3 explain the bill.

4           SENATOR BURGESS: Thank you, Mr. President.

5           We're back. SB 96 deals with the emergency  
6 preparedness trust fund. Senators, over the last two  
7 years we've learned a lot about your state's response  
8 to emergencies. Before you is a bill drawing from the  
9 lessons learned helping make our state stronger I  
10 believe. We all worked together on this bill last  
11 year, and I'm hoping we can do the same going forward  
12 here.

13           The pandemic showed us that --

14           SENATOR SIMPSON: Senator Burgess. Excuse me  
15 just one second, Senator Burgess. We need a  
16 recognition before --

17           SENATOR BURGESS: I'm so sorry.

18           SENATOR SIMPSON: Senator Pizzo, you're  
19 recognized for a recognition.

20           SENATOR PIZZO: Mr. President, you cut off a  
21 Republican to give a Democrat the floor. It's awesome.

22           SENATOR SIMPSON: Okay. Now you're not  
23 recognized.

24           SENATOR PIZZO: If you'll indulge me, and I  
25 thank you, Mr. President, for doing so, but she's

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1 not -- is Susan Harper still here? Okay. Don't say  
2 uh-oh.

3 Ladies and gentlemen, this is the counsel  
4 general of Canada to Miami. This is Susan Harper. And  
5 the reason why we welcome you, if you remember Pro Tem  
6 Bean's welcoming of tourism day. Canadians hold about  
7 \$50 billion worth of real estate in Florida. They  
8 contribute about \$600 million a year in property taxes.  
9 We have about three and a half million visitors when  
10 we're not during a pandemic. You hail from nearby to  
11 my district. And welcome to the Florida Senate,  
12 Ms. Harper.

13 SENATOR SIMPSON: Going on with Bean day  
14 today, Senator Bean, you are recognized for a  
15 recognition.

16 SENATOR BEAN: Mr. President, you are so  
17 kind. And thank you so much. It is a special day. A  
18 lot of people want to come see what's happening in the  
19 state of Florida including the people of Operation New  
20 Uniform. Operation New Uniform is a group that was  
21 founded by Michele McManamon in Jacksonville that  
22 focuses on helping people of our military make  
23 transition. That's a hard transition for many folks.  
24 I have been to some of their classes helping these  
25 servicemen and women make the transition. And they do



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1 it so well. They have a great history of success.  
2 They're here today as well as Michele McManamon, the  
3 CEO, lieutenant board member, Retired Lieutenant  
4 Commander Lisa Gillespie. I'll ask them to stand. And  
5 they're already standing right here. Operation New  
6 Uniform, welcome, Michele and Lisa. Thank you.

7 SENATOR SIMPSON: Senator Jones, you are  
8 recognized for a recognition.

9 SENATOR JONES: Thank you so much,  
10 Mr. President.

11 Mr. President and to members, we have some  
12 students who have come from Broward County. I had the  
13 opportunity to meet with them today. They are an  
14 amazing group of 12th graders. Many of them have  
15 shared their aspirations. A lot of them are staying  
16 here within the state of Florida of which we are happy  
17 about after they graduate.

18 If you-all can stand and be recognized.  
19 These students from Broward County and along with  
20 school board member Ann Murray who's here also and  
21 their teacher.

22 SENATOR SIMPSON: Welcome to the Senate.

23 Okay. I think we're back. Senator Burgess,  
24 you can -- have you explained your bill?

25 SENATOR BURGESS: No, Mr. President.

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1           SENATOR SIMPSON: Continue to explain your  
2 bill.

3           SENATOR BURGESS: I would like to point out  
4 that it looks like Part 5, Rule 1.44 of our open  
5 meetings in our rulebook states that any senator who is  
6 the proximate cause for an opening interruption does  
7 not get to ask questions on the bill. That's a joke.  
8 That's a joke.

9           SENATOR SIMPSON: Senator Burgess, explain  
10 your bill.

11           SENATOR BURGESS: So all right. Let's regear  
12 here.

13           So this bill would amend the financing  
14 provisions related to state expenditures made in  
15 response to a declared state of emergency,  
16 Mr. President. There is an amendment. So I'll save  
17 the rest of my comments --

18           SENATOR SIMPSON: Thank you. Before we do  
19 questions, is there one -- is there an amendment?

20           UNIDENTIFIED MALE: On the desk,  
21 Mr. President.

22           SENATOR SIMPSON: Read the amendment.

23           UNIDENTIFIED MALE: Amendment Bar Code 825440  
24 by Senator Burgess, delete line 50 and insert  
25 amendment.

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1 SENATOR SIMPSON: Senator Burgess, you're  
2 recognized to explain the amendment.

3 SENATOR BURGESS: Thank you very much,  
4 Mr. President.

5 The amendment directs the immediate transfer  
6 of 500 million from the general revenue fund to the  
7 emergency preparedness and response fund.

8 I filed this amendment based on feedback we  
9 received in the appropriations committee. I think that  
10 this is proof that, after input from fellow Republicans  
11 and fellow Democratic colleagues that this is a  
12 collaborative process and something that we build upon  
13 here together.

14 I believe this number still meets the goals  
15 of the bill and that we also ensure that there is  
16 flexibility and accountability in the course of an  
17 emergency. It's important that in the case of an  
18 emergency such as Hurricane Michael or Surfside, the  
19 governor has the flexibility to move funds for the  
20 appropriate responses. Those responses could include  
21 search and rescue, National Guard deployment, debris  
22 removal. It's also very important that the legislature  
23 and state appropriators retain the ability to make  
24 financial decisions for the state. And I think we've  
25 struck the right balance here. Appreciate everybody's

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1 input and this amendment is a reflection of that.

2 SENATOR SIMPSON: Thank you. Is there any  
3 questions on the amendment? Any questions on the  
4 amendment?

5 Senator Pizzo, you're recognized for a  
6 question on the amendment.

7 SENATOR PIZZO: Thank you, Mr. President.

8 And, Senator Burgess, good amendment, if I  
9 understand it correctly. So I got to ask you a couple  
10 questions. Today, without this bill in effect in  
11 statute, I dare ask how much access or what amount  
12 would the governor have access to following a declared  
13 state of his own emergency?

14 SENATOR SIMPSON: Senator Burgess, you're  
15 recognized.

16 SENATOR BURGESS: Thank you, Mr. President.  
17 Thank you, Senator Pizzo.

18 So currently, the governor would have access  
19 immediately to appropriated funds. FDOT is a great  
20 example of an agency that would have access to that.  
21 But then after that, under current law without this  
22 trust fund, it would be access to essentially the  
23 general revenue reserve -- I think we're at like  
24 \$10 billion right now. So this amendment would take  
25 \$10 billion and bring it to 500 million in a dedicated



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1 fund.

2 SENATOR SIMPSON: Pizzo, you're recognized.

3 SENATOR PIZZO: Thank you, Mr. President.

4 And as the amendment, if so adopted and  
5 included, would mean an initial transfer of  
6 500 million, and every subsequent request would have to  
7 go to the joint legislative budget commission where a  
8 majority of both houses' representatives therein would  
9 have to approve each incremental request?

10 SENATOR SIMPSON: Senator Burgess, you're  
11 recognized.

12 SENATOR BURGESS: Mr. President.

13 That's correct.

14 SENATOR SIMPSON: Good. Are there any other  
15 questions on the amendment? Only amendment.

16 Senator Bracy, you're recognized for a  
17 question.

18 SENATOR BRACY: Thank you, Mr. President.

19 What other stipulations will be attached to  
20 this 500 million? Will there be any direction given as  
21 to how it can be used?

22 SENATOR SIMPSON: Senator Burgess, you're  
23 recognized.

24 SENATOR BURGESS: Thank you, Mr. President.

25 The stipulation being that -- for use during

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1 a declared state of emergency. So that -- and we've  
2 defined what an emergency is in the statute. So of  
3 course, it would need to be a declared state of  
4 emergency and the appropriated funds that would already  
5 be out there for said response would need to have been  
6 depleted before there would be access to this pot of  
7 money.

8 Right now -- the simple way to look at it is  
9 right now there's access to about \$10 billion. We're  
10 all coming collectively to say, you know what? In  
11 times of crisis like we've lived through over the last  
12 ten years, we just need to make sure we're dotting Is,  
13 crossing Ts, you know, for the future. And so here we  
14 have 500 million that we're dedicating, putting aside.  
15 And of course, if we need more, the legislative budget  
16 commission would come together I'm sure and make sure  
17 that the governor had access to the right amount of  
18 funds.

19 SENATOR SIMPSON: Senator Bracy, you're  
20 recognized.

21 SENATOR BRACY: Is there any other direction  
22 given other than it can be used for a state of  
23 emergency?

24 SENATOR SIMPSON: Senator Burgess, you're  
25 recognized.

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1 SENATOR BURGESS: Thank you, Mr. President.

2 If I understand the question, I don't believe  
3 there would be -- the purpose of this is for declared  
4 states of emergency. So I would think that that would  
5 be the -- unless you're thinking of something I'm not  
6 thinking of.

7 SENATOR SIMPSON: Senator Bracy, you're  
8 recognized.

9 SENATOR BRACY: I guess I'm saying is there  
10 any direction on how the money can be used other than  
11 just it is a state of emergency? Is there direction on  
12 what it can be used for, for example.

13 SENATOR SIMPSON: Senator Burgess, you're  
14 recognized.

15 SENATOR BURGESS: Thank you, Mr. President.

16 We don't want to tie an emergent response --  
17 you know, tie the hands of DEM. Obviously they'd be  
18 integral in this. This is their trust fund. They've  
19 done an incredible job. Obviously, the governor's  
20 going to need to respond in the future, whatever that  
21 situation may be at the time. So we don't want to  
22 proscribe limitations on that. There's no limitations  
23 now.

24 But what there is not a limitation on that we  
25 want to address for sure is access to unlimited amount

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1 of funds. We want to make sure that as the  
2 appropriators, we're retaining that responsibility.

3 SENATOR SIMPSON: Thank you. Are there any  
4 additional questions on the amendment?

5 Senator Pizzo, you're recognized for a  
6 question on the amendment.

7 SENATOR PIZZO: Thank you, Mr. President.

8 I just have one because I remember Leader  
9 Gibson had asked this question during committee. But  
10 the amendment actually seeks to amend 252.37. It  
11 actually requires funding for resources to respond to a  
12 disaster to first come from funds specifically  
13 appropriated to state and local agencies for disaster  
14 relief or response. And should those funds be  
15 insufficient, then the governor may transfer and expend  
16 moneys from the emergency preparedness fund. So first  
17 dollars in would actually be those allocated for those  
18 disasters; isn't that correct?

19 SENATOR SIMPSON: Senator Burgess, you're  
20 recognized.

21 SENATOR BURGESS: Thank you, Mr. President.  
22 That is absolutely correct.

23 SENATOR SIMPSON: Are there any additional  
24 questions?

25 Senator Torres, you're recognized for a



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1 question.

2 SENATOR TORRES: Thank you, Mr. President.

3 Senator, the question I have is when a  
4 governor requests a state of emergency to the President  
5 of the United States, what other funds do the state  
6 receive? How much do they receive is my question?

7 SENATOR SIMPSON: Senator Burgess, you're  
8 recognized.

9 SENATOR BURGESS: Thank you, Mr. President.

10 If I could ask Senator Torres, if you don't  
11 mind repeating or rephrasing the question. I don't  
12 know that I understood it. Thank you.

13 SENATOR SIMPSON: Senator Torres, you're  
14 recognized.

15 SENATOR TORRES: Thank you.

16 When a governor claims state of emergency and  
17 he requests money from the President of the United  
18 States, do we know how much money comes from the  
19 federal government?

20 SENATOR SIMPSON: Senator Burgess, you're  
21 recognized.

22 SENATOR BURGESS: Thank you, Mr. President.

23 I think -- Senator Torres, I think that would  
24 depend on the emergency, the situation, the response,  
25 and the collaboration with federal, state, and local

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1 partners. It would be hard to predict that without a  
2 specific example. And I don't necessarily have those  
3 in front of me. That's all, you know, case-by-case  
4 basis.

5 SENATOR SIMPSON: Senator Torres, you're  
6 recognized.

7 SENATOR TORRES: Okay. So in a state of  
8 emergency preparedness or catastrophe happens,  
9 tornadoes, hurricanes, do we know in the past how much  
10 aid did we get from the federal government?

11 SENATOR SIMPSON: Senator Burgess, you're  
12 recognized.

13 SENATOR BURGESS: Thank you, Mr. President.

14 FEMA has reimbursed us in the past for  
15 emergencies. It's a pretty common situation. And in  
16 this circumstance, I think, you know, we would all  
17 expect and hope that funds expended through this trust  
18 fund would eventually maybe be reimbursed by FEMA.

19 But the reality is -- and Hurricane Michael I  
20 believe is a great example of this -- because this is  
21 not a novel concept that just was brought up. I mean,  
22 it's great that we're all coming together now in the  
23 midst of what we've lived through over the past two  
24 years.

25 But in the wake of Hurricane Michael, I found

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1 out through newspaper articles that this conversation  
2 was actually brought up because there was such a slow  
3 response from FEMA at the time. And so we just want --  
4 as a state, we want to make sure we're not reliant on  
5 federal partners, that we can respond appropriately,  
6 immediately, efficiently to keep Floridians safe and  
7 make sure that we're doing what we need to do.

8 So I mean, this is responsible governing.  
9 It's hard to predict what federal funds will come down.  
10 But, yes, FEMA can reimburse and does.

11 SENATOR SIMPSON: Senator Torres, you're  
12 recognized.

13 SENATOR TORRES: So I'm looking at that we  
14 still have constituents that are still trying to  
15 receive assistance or payment from other disasters,  
16 Irma, Michael, Charlie. Would this alleviate -- this  
17 money -- prevent that from happening?

18 SENATOR SIMPSON: Senator Burgess, you're  
19 recognized.

20 SENATOR BURGESS: Thank you, Mr. President.

21 I mean, certainly having this money dedicated  
22 if the circumstances are consistent with what's  
23 outlined within the bill, I don't know what those  
24 situations are. I hate to hear that that's happening.  
25 But the goal here is to make sure Florida can respond,

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1 Florida can provide relief. I don't know what that  
2 relief is, Senator Torres. But, you know, we're doing  
3 what we can to make sure that we can best respond to  
4 whatever situation may arise. We're one of the most  
5 disaster-prone states in the nation. So this is a good  
6 way to be prepared for that.

7 SENATOR SIMPSON: Thank you. Senator Cruz,  
8 you're recognized for a question.

9 SENATOR CRUZ: Thank you, Mr. President.  
10 And, Senator Burgess, thank you for this bill.

11 I just want to clarify what I thought I  
12 heard. Did I hear someone say that today without this  
13 bill the amount of appropriated funds that could be  
14 accessed in the state of an emergency would be  
15 10 billion?

16 SENATOR SIMPSON: Senator Burgess, you're  
17 recognized.

18 SENATOR BURGESS: Thank you, Mr. President.

19 I would submit that it's unlimited, yes. I  
20 mean, depending on what that number would be at the  
21 given time.

22 So what we're doing is taking an unlimited  
23 amount of money -- and, you know, I think we're all  
24 coming together to be more responsible and accountable,  
25 self-accountability, and we're making sure that we know



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1 that that's a dedicated pot of money set aside for a  
2 rainy day, a catastrophe, a crisis. And that's what we  
3 have available. We can always fill that in on the back  
4 end if need be.

5 SENATOR SIMPSON: Senator Cruz, you're  
6 recognized.

7 SENATOR CRUZ: Thank you, Mr. President.

8 Could you tell me the only person in this  
9 state that is allowed to declare a state of emergency?

10 SENATOR SIMPSON: Senator Burgess, you're  
11 recognized.

12 SENATOR BURGESS: Thank you, Mr. President.

13 I would say that I believe that's the  
14 governor.

15 SENATOR SIMPSON: Senator Cruz, you're  
16 recognized.

17 SENATOR CRUZ: Could you tell me who  
18 appropriates the funds in an emergency? Who makes the  
19 decisions on the spending?

20 SENATOR SIMPSON: Senator Burgess, you're  
21 recognized.

22 SENATOR BURGESS: Thank you, Mr. President.

23 During the state of emergency, some  
24 traditional rules are waived when it comes to funding.  
25 And so, of course, we got to be able to respond

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1 quickly. And I do believe that the governor would then  
2 have access to those emergency funds, you know, that we  
3 just discussed that is essentially unlimited.

4 And so what we're doing here is dedicating  
5 that source. That way, you know, it wouldn't change  
6 the mechanism. It would just change the pot, and that  
7 pot would have a dedicated amount.

8 SENATOR SIMPSON: Senator Cruz, you're  
9 recognized.

10 SENATOR CRUZ: To summarize -- I want to make  
11 sure I have it right -- the only person that can  
12 declare a state of emergency in Florida is the  
13 governor. And the person that has full access to these  
14 dollars at his discretion or her discretion, I'm  
15 assuming in the future, is the governor; is that  
16 correct.

17 SENATOR SIMPSON: Senator Burgess, you're  
18 recognized.

19 SENATOR BURGESS: Yes. So DEM, the surgeon  
20 general, there's a myriad of response teams that could  
21 weigh in on the spending of this money. But the  
22 governor essentially, of course, you know, declares the  
23 state of emergency, and being agencies of the governor,  
24 I'm sure there would be a large level of involvement  
25 there. But, you know, this bill is about looking

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1 towards the future and learning from our past and not  
2 mistakes that were made but how we can be better for  
3 this experience and realize, going forward, efficient  
4 ways to respond and more accountable ways to respond.

5 SENATOR SIMPSON: Are there any additional  
6 questions?

7 Senator Taddeo, you're recognized. I meant  
8 Taddeo. You're recognized.

9 SENATOR TADDEO: That means you didn't want  
10 me to ask a question. Thank you, Mr. President.

11 Senator, is there a description of what type  
12 of emergencies are allowed for the expense of  
13 \$500,000 -- \$500 million?

14 SENATOR SIMPSON: Senator Burgess, you're  
15 recognized.

16 SENATOR BURGESS: Thank you, Mr. President.

17 We don't proscribe that because we can't  
18 predict every emergency that could possibly come before  
19 us. But what we have done -- and I'm looking for it as  
20 we speak -- we have outlined what an emergency means.  
21 An emergency means any occurrence or threat thereof,  
22 whether natural, technological, or man made in war or  
23 peace which results or may result in substantial injury  
24 or harm to the population or substantial damage to loss  
25 or property.

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1           So we do provide what an emergency  
2     constitutes. However, I believe it would not be  
3     prudent of the legislature to predict what every  
4     situation would be.

5           SENATOR SIMPSON: Senator Taddeo, you're  
6     recognized.

7           SENATOR TADDEO: Thank you, Mr. President.  
8           Does the emergency have to be in Florida?

9           SENATOR SIMPSON: Senator Burgess, you're  
10    recognized. You're recognized.

11          SENATOR BURGESS: Thank you, Mr. President.

12          I would submit that the emergency would  
13    probably most likely be in Florida. I guess I hadn't  
14    contemplated that situation. But nothing would change  
15    under the present situation regardless of what we do.  
16    So whether we're limiting the amount of money or not  
17    limiting it, whichever scenario you're thinking of  
18    would be the case regardless.

19          SENATOR SIMPSON: Senator Taddeo, you're  
20    recognized.

21          SENATOR TADDEO: Well, we've seen where we  
22    have sent law enforcement to the border, for example.  
23    And that may be considered an emergency to this  
24    governor. Would that be -- fall under this, and would  
25    these funds be able to be used for situations outside



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1 of state?

2 SENATOR SIMPSON: Senator Burgess, you're  
3 recognized.

4 SENATOR BURGESS: Thank you, Mr. President.

5 I just want to refocus the bill. Thank you  
6 for your question. But I'm going to refocus to what  
7 the bill actually does. It takes an unlimited pot of  
8 money and shrinks it down to 500 million. That's  
9 responsible spending.

10 And this bill is not about any particular  
11 governor, any particular cause, any particular action.  
12 It's about Florida learning from its experience and  
13 being better going forward in the future.

14 But based on those concerns, I would submit  
15 that you would love last year's bill, Senate Bill 2006  
16 which limited a state of emergency to 60 days and gave  
17 the legislature authority it did not have in the past  
18 which was to be able to come together by concurrent  
19 resolution and overturn or terminate a state of  
20 emergency.

21 SENATOR SIMPSON: Senator Taddeo, you're  
22 recognized.

23 SENATOR TADDEO: Thank you.

24 So as governor, I wouldn't have to come --  
25 with this bill, I wouldn't have to come to the

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1 legislature to spend the \$500 million if there's a  
2 state of emergency that I declare?

3 SENATOR SIMPSON: Senator Burgess, you're  
4 recognized.

5 SENATOR BURGESS: So the governor --  
6 mechanically, the governor would first go to  
7 appropriated funds and then have access to this trust  
8 fund. Currently, the governor has access to an  
9 unlimited amount of funds through budget amendments.

10 SENATOR SIMPSON: Are there any additional  
11 questions? Any additional questions?

12 Seeing none -- now we're only amendment -- is  
13 there any debate? Only amendment. Any debate?

14 Senator Bean, you are recognized in debate.

15 SENATOR BEAN: Mr. President, thank you very  
16 much.

17 I want to comment on the amendment because  
18 some have said that the amount of money in this fund is  
19 too much. Others have said it's not enough. I want to  
20 tell you why the porridge is just right. What Senator  
21 Burgess has done is the best of all worlds, has put the  
22 power back to the legislature by saying we empower our  
23 governor, whoever he or she is, we know something bad  
24 could happen and there's enough resources to start the  
25 recovery, the whatever mission it is to save Floridians

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1 or recover or whatever that is. But then you've got  
2 the LBC backup, the legislative budget commission is  
3 standing by ready if we're not in session at a moment's  
4 notice under Chair Stargel's lead, who else is on the  
5 budget commission, LBC? Bean, Book, Gibson, Mayfield,  
6 Passidomo, Stewart. We met online, on the phone. And  
7 we're a very agile group meeting with our partners in  
8 the House. So the best of both worlds as we give  
9 resources to the poor. And should the governor, he or  
10 she, whoever it is, need more, we are ready to do our  
11 part to keep Florida safe. So hats off to Senator  
12 Burgess for walking that fine line and bringing us a  
13 product that hopefully we can all agree on.

14 Thank you.

15 SENATOR SIMPSON: Thank you.

16 Is there an additional -- any additional  
17 debate on the amendment?

18 Seeing none, all in favor of the amendment,  
19 say yea.

20 SENATORS: Yea.

21 SENATOR SIMPSON: All opposed, nay.

22 Show the amendment has been adopted.

23 Read the next amendment.

24 UNIDENTIFIED MALE: None on the desk,  
25 Mr. President.

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1           SENATOR SIMPSON: Are there any questions on  
2 the bill as amended? Any questions on the bill as  
3 amended?

4           Seeing none, by agreement of the Democrat and  
5 Republican leaders, senator of the 20th district,  
6 Senator Burgess, moves the bill be read a third time.  
7 Without objection, show that motion adopted.

8           Read the bill.

9           UNIDENTIFIED MALE: Committee substitute for  
10 Senate Bill 96, a bill to be entitled an act relating  
11 to the emergency preparedness and response funds.

12           SENATOR SIMPSON: Is there any debate on the  
13 bill? Any debate?

14           Leader Mayfield, you are recognized in  
15 debate.

16           SENATOR MAYFIELD: Thank you, Mr. President.

17           And, Senators, just a few comments here is  
18 the fact that, you know, we are a part-time  
19 legislature. Some days and some weeks it doesn't feel  
20 like we are, but we are a part-time legislature.

21           This is how our voters structured our state  
22 government. And that's how we operate. They look at  
23 us to make sure that we're keeping, you know, tabs on  
24 what's happening around here. We all understand a need  
25 to respond quickly and efficiently in a time of real



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1 emergencies. We have had our share of storms. We have  
2 had a recent extended worldwide pandemic, which is the  
3 first that I can recall we've ever had in this state.  
4 I'm still young. So there might have been some before  
5 that. And I believe the governor needs flexibility to  
6 respond quickly and decisively during those  
7 emergencies.

8 Our role is to uphold the principles of the  
9 institution. Our role is to uphold the principles of  
10 the constitution. And part of that is a very important  
11 principle of the constitution is a check and balance  
12 with the executive branch. And I believe that this is  
13 what this bill does. It allows that check and balance  
14 with the executive branch. By supporting this bill and  
15 with the amendment that recently passed, we will  
16 maintain the structure that honors Florida's  
17 Constitution. So I would ask that you please support  
18 this bill. Thank you.

19 SENATOR SIMPSON: Senator Pizzo, in debate,  
20 you're recognized.

21 SENATOR PIZZO: Thank you, Mr. President.

22 And, Senator Burgess, I really, really  
23 appreciate the amendment. My mother says I'm way too  
24 hard on you sometimes in committee meetings. It's  
25 true. It's true. But you're diligent.

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1 And this is a pure expression of some of the  
2 frustrations that we've had for a few years since I've  
3 been here where we're just trying to meet and be  
4 reasonable with each other and try to work something  
5 out.

6 I was a no one in committee. But I had told  
7 Pro Tem Bean if there was a change or two or a tweak or  
8 two to bring it in and tighten it up, that I would be a  
9 yes. And so today I'm a yes vote.

10 What I would ask is that we say yes. And if  
11 the future of the outcome of this piece of legislation  
12 is vetoed like it was last year, that we all in a  
13 bipartisan fashion hold our ground and keep those  
14 checks and balances in place and insist that this be  
15 the bill.

16 Thank you, sir.

17 SENATOR SIMPSON: Thank you.

18 Is there any additional debate?

19 Senator Farmer, you're recognized in debate.

20 SENATOR FARMER: Thank you, Mr. President.

21 My mom always thought Senator Burgess was a  
22 really, you know, cute, youthful looking guy, but she  
23 encouraged me to disagree with you.

24 So in all seriousness, though, I couldn't  
25 agree more with Senator Mayfield. We are duty bound

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1 and swear an oath to uphold the principles of the  
2 constitution. The constitution vests in this body the  
3 duty and obligation to appropriate and allocate funds  
4 in a particular manner. We already have a system of  
5 checks and balances in place. One of the main  
6 provisions that provides those checks and balances is  
7 in Florida Statute 116.177, which provides that, if the  
8 governor attempts to spend money in a way that's  
9 inconsistent with how we appropriated it, we can  
10 actually go to the Chief Justice of the Supreme Court  
11 and get that money reverted back to the use that we  
12 appropriated it for or for which we appropriated it.

13 So the system of checks and balances is  
14 there. This is a hall pass for the governor. Let's  
15 just call it what it is. Yes, he's got the ability  
16 already to take some moneys that are appropriated for  
17 emergency services and spend them as he chooses. This  
18 adds a half a billion dollars to that with no  
19 accountability.

20 There have been questions for the last two  
21 years as to how and where he was spending his money and  
22 with whom he was collaborating and were some of those  
23 expenditures given to people who donated a lot of money  
24 to his campaign. These types of questions are exactly  
25 why we don't give a governor a blank check. It's why

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1 the constitution gives us the responsibility to  
2 allocate. It's why Chair Stargel has to work so hard.  
3 It's why all the subappropriations chairs work so hard. It's  
4 why we have these silos in the first place.

5 This is a hall pass for the governor to spend  
6 this money in any way he chooses. It's  
7 unconstitutional. We already have the checks and  
8 balances y'all are saying we need in place under the  
9 law. And I -- you know, I didn't vote no on the  
10 amendment because at least we cut the hall pass in  
11 half. But the bill's still bad. And I would urge you  
12 to vote no.

13 Thank you, Mr. President.

14 SENATOR SIMPSON: Is there any additional  
15 debate on the bill?

16 Seeing none, Senator Burgess, you are  
17 recognized to close on your bill.

18 SENATOR BURGESS: Thank you very much,  
19 Mr. President. Thank you to everybody who spoke and  
20 the questions. I think it's helped to elicit the  
21 intent and purpose of this good bill. This bill was  
22 before us last year. And it was vetoed because it was  
23 contingent on federal funds that were not permitted to  
24 be put into a rainy day account. So the veto was very  
25 sensible. But there was an ask that we readdress this



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1 issue through that veto letter, and I think wisely so  
2 because what we are doing here is all coming together.  
3 This is something we should all be proud of regardless  
4 of political affiliation.

5           What we're all doing is recognizing that we  
6 are limiting access to funds and being responsible  
7 stewards of those dollars through an extended period of  
8 time like we've experienced through this pandemic and  
9 going -- the pandemic exposed this loophole because I  
10 don't think before have we ever been in a situation  
11 where we've had such a sustained state of emergency.  
12 That exposed this loophole.

13           And so responsibly, all levels of government  
14 are coming together to make sure that going forward,  
15 it's not just a blank check which I think is the  
16 irresponsible thing, Senator Farmer, is to have access  
17 to that \$10 billion that we have currently right now.  
18 Instead we're earmarking, allocating, putting  
19 500 million into a dedicated source for the specific  
20 purpose of being prepared in an emergency. That is  
21 responsible. That is responsible. And we should all  
22 be proud that we came together -- the governor, the  
23 House, the Senate. We came together to do this.  
24 That's a -- that's a great thing. And Florida's  
25 leading the way on that. We should all be very proud

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1 of that. And for that reason we should all vote yes.

2 Thank you so much.

3 SENATOR SIMPSON: Thank you.

4 The secretary will unlock the board, and the  
5 senators will proceed to vote.

6 The secretary will lock the board and record  
7 the vote.

8 UNIDENTIFIED MALE: 31 yeas, 4 nays,  
9 Mr. President.

10 SENATOR SIMPSON: Show the bill passes.

11 Take up the next bill.

12 UNIDENTIFIED MALE: Senate Bill 98, a bill to  
13 be entitled an act relating to the emergency  
14 preparedness and response fund.

15 SENATOR SIMPSON: Senator Burgess of the  
16 20th, you are recognized to explain the bill.

17 SENATOR BURGESS: Thank you, Mr. President.  
18 It's the beginning of session, and everybody's already  
19 sick of me.

20 So here we have Senate Bill 98. This creates  
21 the trust fund that we just dedicated \$500 million  
22 towards. So one is contingent upon the other. This  
23 bill creates that trust fund, Mr. President.

24 SENATOR SIMPSON: Are there any amendments?

25 UNIDENTIFIED MALE: None on the desk,

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1 Mr. President.

2 SENATOR SIMPSON: Are there any questions on  
3 the bill? Any questions?

4 Being none, by agreement of the Democrat and  
5 Republican leaders, the senator of the 20th district,  
6 Senator Burgess, moves the bill be read a third time.

7 Seeing no objection, show the motion adopted.

8 Read the bill.

9 UNIDENTIFIED MALE: Senate Bill 98, a bill to  
10 be entitled an act relating to the emergency  
11 preparedness and response fund.

12 SENATOR SIMPSON: Is there any debate on the  
13 bill? Any debate?

14 Seeing no debate, Senator Burgess waives his  
15 close.

16 The secretary will unlock the board, and  
17 senators will proceed to vote.

18 Lock the board and record the vote.

19 UNIDENTIFIED MALE: 34 yeas, 1 nay,

20 Mr. President.

21 SENATOR SIMPSON: Show the bill passes.

22 Read the next bill.

23 UNIDENTIFIED MALE: Committee substitute for  
24 Senate Bill 102, a bill to be entitled an act  
25 establishing the congressional districts of the state.

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1           SENATOR SIMPSON: Senator Farmer -- I was  
2 going to make an announcement here that was important  
3 to Senator Farmer. There was a question on whether we  
4 wanted to do a transcript or spread this on the journal  
5 today. And what I'm assuring senators of is this will  
6 have -- we will have an official transcript of what  
7 we're doing here, documenting what we're doing on the  
8 map. So just to be clear, there will be an official  
9 transcript to be able to use as a public record to how  
10 people would see fit to use that transcript.

11           And senator of the 27th district, Senator  
12 Rodrigues, you are recognized to explain the bill.

13           SENATOR RODRIGUES: Thank you, Mr. President.

14           The Florida legislature has a responsibility  
15 every decade to go through the process of  
16 reapportionment and redistricting. It is our  
17 responsibility to reapportion our congressional  
18 delegation because, due to population growth, we have  
19 gained a congressional seat. This bill is the  
20 reapportionment bill for Florida's congressional  
21 delegation. And that is the bill.

22           SENATOR SIMPSON: Are there any amendments?

23           UNIDENTIFIED MALE: On the desk,  
24 Mr. President.

25           SENATOR SIMPSON: Read the first amendment.



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1 UNIDENTIFIED MALE: Late-filed amendments,  
2 Bar Code 578304 by Senator Jones, delete lines 86 to  
3 3211 and insert amendment.

4 SENATOR SIMPSON: Is there any objection  
5 taken with the late-filed amendment?

6 Seeing none, show the amendment introduced.

7 Senator Jones, you are recognized to explain  
8 your amendment.

9 SENATOR JONES: Thank you so much,  
10 Mr. President.

11 And I do want to take this opportunity to  
12 thank Senator Rodrigues for the work that he has done  
13 on this map. So I really appreciate that.

14 Members, this amendment seeks to do one  
15 thing, and that is to keep the principal city in my  
16 district, which is the largest black municipality  
17 within the state of Florida, keeping that whole in one  
18 congressional district.

19 Additionally, members, this map strengthens  
20 the Tier 2 criteria that the congressional  
21 reapportionment committee set out to govern the  
22 process, which includes district shall consist of  
23 contiguous territory, district shall be as nearly equal  
24 in population as is practicable, district shall be  
25 compact, and district lines shall, where feasible,

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1 follow existing political and geographic boundaries.

2 Members, we are all sent here to fight for  
3 the people we serve. And in this instance, this would  
4 be a huge move to -- if we go in the direction that  
5 we're in -- going right now and splitting this district  
6 up -- and so my ask is that you-all help me keep  
7 representation to one congressional district for the  
8 city of Miami Gardens.

9 And that is the amendment, Mr. President.

10 SENATOR SIMPSON: Thank you.

11 Are there any questions on the amendment?  
12 Any questions?

13 Is there any debate on the amendment?

14 Senator Rodrigues, you're recognized in  
15 debate.

16 SENATOR RODRIGUES: Thank you, Mr. President.

17 And Senator Jones did come to both the staff  
18 and speak with me. As this amendment was crafted, it  
19 actually does improve the Tier 2 criteria. It meets  
20 all the criteria we laid out in staff and sent out --  
21 or laid out in committee, I should say, and sent out in  
22 memo form to each of the members for what to consider  
23 should you decide to propose an amendment to either  
24 map. As such, I consider it a friendly amendment and  
25 an improvement on the map.

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1           SENATOR SIMPSON: Is there any additional  
2 debate?

3           Senator Jones, you're recognized to close.

4           SENATOR JONES: Man, if session's going like  
5 this, I am good.

6           SENATOR SIMPSON: All in favor of the  
7 amendment, say yea.

8           SENATORS: Yea.

9           SENATOR SIMPSON: All opposed, nay.  
10          Show the amendment has been adopted.  
11          Read the next amendment.

12          UNIDENTIFIED MALE: None on the desk,  
13 Mr. President.

14          SENATOR SIMPSON: Read the next amendment.

15          UNIDENTIFIED MALE: None on the desk,  
16 Mr. President.

17          SENATOR SIMPSON: Are there any questions on  
18 the bill?

19          Senator Torres, you're recognized for a  
20 question.

21          SENATOR TORRES: Thank you, Mr. President.  
22 And, Chairman Rodrigues, thank you for your work on the  
23 committee. But I have a few questions.

24          The population of Hispanics in Florida grew  
25 by 1.2 million from 2010 to 2020. A 39 percent total

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1 population increase. Was there any analysis done to  
2 determine if the growth was located in a specific area  
3 of the state to justify the creation of a new Hispanic  
4 opportunity congressional seat?

5 SENATOR SIMPSON: Senator Rodriguez, you're  
6 recognized.

7 SENATOR RODRIGUES: Thank you, Mr. President.  
8 And the answer to that question would be yes.

9 SENATOR SIMPSON: Senator Torres, you're  
10 recognized.

11 SENATOR TORRES: Did you look at the Hispanic  
12 population growth in Central Florida to see if that  
13 justified the creation of a new Hispanic opportunity  
14 congressional seat?

15 SENATOR SIMPSON: Senator Rodriguez, you're  
16 recognized.

17 SENATOR RODRIGUES: Thank you, Mr. President.

18 And the answer to that question is also yes.  
19 And if I could elaborate for just a brief moment. What  
20 we did is we took the data from the 2020 census. And  
21 anyone could go into the software that we have and do  
22 this themselves, brought it up. And there's the  
23 ability to view population distribution by racial  
24 demographics.

25 The staff looked at that as we were looking



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1 at crafting the maps. So yes, that step was taken.

2 SENATOR SIMPSON: Senator Torres, you're  
3 recognized.

4 SENATOR TORRES: Thank you, Mr. President.

5 These proposed maps included the same number  
6 of African-Americans and Hispanic opportunity  
7 congressional seats for the next decade that we had in  
8 the past decade. Why are we not seeing the additional  
9 at least one new Hispanic opportunity congressional  
10 district to represent an increase of percentage of  
11 Hispanic population growth over the past decade?

12 SENATOR SIMPSON: Senator Rodriguez, you're  
13 recognized.

14 SENATOR RODRIGUES: Thank you, Mr. President.

15 The first point I would make is that we draw  
16 our map based upon the data that we receive from the  
17 U.S. census. The districts are drawn around where the  
18 population resides. That's what we've done with this  
19 map.

20 The second thing that I would point out is  
21 that, if you look at the benchmark congressional  
22 districts specific to Hispanic districts, there were  
23 three majority minority districts and one opportunity  
24 district. Due to the growth that occurred, there are  
25 still four seats, but the opportunity district is now a

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1 majority minority district. That is because that's  
2 where the population settled in the state of Florida as  
3 we grew.

4 SENATOR SIMPSON: Senator Torres, you're  
5 recognized. You're good?

6 There are any additional questions on the  
7 bill?

8 Senator Cruz, you're recognized.

9 SENATOR CRUZ: Thank you, Mr. President. And  
10 I too want to thank you, Senator Rodrigues. This is a  
11 monumental task. And you'll never make all of the  
12 people happy all of the time. And I understand that.

13 But I want to expand upon what Senator Torres  
14 said because -- and I don't have the numbers that he  
15 has. But it's been my understanding that there's  
16 explosive growth in the Hispanic community in the  
17 Orlando counties. Yet, this map chooses to push the  
18 new seat toward me, toward my coastline in the Lakeland  
19 area I don't see quite as much growth as I do in  
20 Orlando. And I'm curious as to why that happened.

21 SENATOR SIMPSON: Senator Rodrigues, you're  
22 recognized.

23 SENATOR RODRIGUES: Thank you, Mr. President.  
24 And thank you for the question.

25 What I would submit is the new seat was

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1 placed in Central Florida, which is the I-4 corridor,  
2 which is where the growth occurred. Placement of that  
3 seat is what pushed additional seats outward, which is  
4 why you saw changes to the seat that you have in the  
5 county in which you reside.

6 SENATOR SIMPSON: Senator Cruz, you're  
7 recognized.

8 SENATOR CRUZ: So could you tell me then the  
9 seat that will be the new seat? Can you tell me where  
10 that seat is located now?

11 SENATOR SIMPSON: Senator Rodrigues, you're  
12 recognized.

13 SENATOR RODRIGUES: Thank you, Mr. President.  
14 If you look on the map, that would be Seat  
15 Number 28 which is located in Central Florida.

16 SENATOR SIMPSON: Senator Cruz, you're  
17 recognized.

18 SENATOR CRUZ: Thank you, Mr. President.

19 Moving on to the Tampa Bay area. I have a  
20 few questions. And one of which is previously  
21 Congressional District 14 was located solely in  
22 Hillsborough County. Under this map, it now includes  
23 portions of Pinellas. I know, because I live in  
24 Hillsborough County, that the growth is explosive  
25 there. So why was that district drawn that way?

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1           SENATOR SIMPSON: Senator Rodrigues, you're  
2 recognized.

3           SENATOR RODRIGUES: Thank you, Mr. President.  
4           And as I alluded to earlier, once we placed  
5 the new seat in the area of the state that had the  
6 greatest population growth, which was Central Florida,  
7 that required adjustments to the surrounding districts.  
8 Those adjustments impacted the seat you're questioning.

9           SENATOR SIMPSON: Senator Cruz, you're  
10 recognized.

11          SENATOR CRUZ: Thank you, Mr. President. I'm  
12 sorry.

13          According to the 2020 census, both  
14 Congressional District 15 and Congressional District 16  
15 were well over the target population for a  
16 congressional district. But these districts share  
17 borders with Congressional District 14. Wouldn't it  
18 have made more sense for Congressional District 14's  
19 eastern border to move further east?

20          SENATOR SIMPSON: Senator Rodrigues, you're  
21 recognized.

22          SENATOR RODRIGUES: Thank you, Mr. President.  
23          We believe following the directives that the  
24 staff was given by the committee of what they should  
25 follow in drawing the map -- and I'll go over those



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1 directives so that we have them on the record on the  
2 floor as well as committee. We instructed staff to  
3 follow the plain language of the constitution, federal  
4 law, and related existing judicial precedent. They  
5 were directed to confirm that districts comply with  
6 Tier 1 constitutional standards and with federal law,  
7 specifically that districts are not drawn with the  
8 result of denying or abridging the equal opportunity of  
9 racial or language minorities to participate in the  
10 political process or diminish the abilities to elect  
11 representatives of their choice.

12 This is accompanied by conducting a  
13 functional analysis on relevant districts. Staff was  
14 directed to draw districts without reviewing political  
15 data other than where review of political data was  
16 required to perform an appropriate functional analysis.

17 Staff were directed to draw districts without  
18 the use of any residential information of any sitting  
19 member of the Florida legislature or Congress and to  
20 draw the districts without regard to the preservation  
21 of existing district boundaries.

22 Staff was drawn to prepare -- we'll skip this  
23 part since we're talking about the congressional map.

24 Staff was drawn to prepare congressional  
25 plans with a population deviation of plus or minus one

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1 person of the ideal population of 769,221 people.

2 Staff was directed to comply with the Tier 2  
3 standards related to the compactness by drawing  
4 districts that are visually and mathematically compact.

5 Staff was drawn to comply with Tier 2  
6 standards related to utilizing existing political  
7 boundaries by using county boundaries where feasible;  
8 where feasible, drawing districts consisting of whole  
9 counties in less populated areas; and districts wholly  
10 within a county in more densely populated areas; and  
11 keeping cities whole while also considering the  
12 impermanent and changing nature of municipal  
13 boundaries; and, finally, use static, existing  
14 geographic boundaries where feasible, specifically  
15 railways, interstates, federal and state highways, and  
16 large water bodies, such as those deemed to be easily  
17 recognizable and readily ascertainable by the Florida  
18 Supreme Court.

19 Our staff followed those directives. The  
20 simple fact is in a state our size, to your question,  
21 you could come up with an infinite number of possible  
22 maps that could have been drawn. But with these  
23 standards, these are the map -- this is the map that we  
24 have brought to the body.

25 SENATOR SIMPSON: Senator Cruz, you're

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1 recognized.

2 SENATOR CRUZ: Thank you, Mr. President.

3 So based on what you just read to me, do you  
4 feel that under this map, the new congressional  
5 district that is Congressional District 15 which is  
6 most of eastern Hillsborough County, I'm curious, why  
7 was the new district located here? I'm still not  
8 understanding. Did this area see more growth overall  
9 than the Orlando area, for example?

10 SENATOR SIMPSON: Senator Rodrigues, you're  
11 recognized.

12 SENATOR RODRIGUES: Thank you, Mr. President.

13 And I'll go back to the answer that I've  
14 already submitted. Once we made the decision to place  
15 the new seat in the center of the state, the I-4  
16 corridor, where the highest growth had occurred, that  
17 required adjustments to surrounding districts. Your  
18 district is one of those surrounding districts that had  
19 to be adjusted.

20 SENATOR SIMPSON: Cruz, you're recognized.

21 SENATOR CRUZ: Thank you.

22 Chair Rodrigues, moving on, in general, can  
23 you tell me why are Hillsborough and Pinellas Counties  
24 in one district? I live there, and I think of them as  
25 separate communities.

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1 SENATOR SIMPSON: Chair Rodrigues, you're  
2 recognized.

3 SENATOR RODRIGUES: Thank you, Mr. President.  
4 What I would submit is I would be willing to  
5 wager that all of the counties in this state believe  
6 they're separate communities. The simple truth is we  
7 had to cross boundaries and counties to draw these  
8 districts. This was just one of the boundaries that  
9 had to be crossed.

10 SENATOR SIMPSON: Senator Cruz, you're  
11 recognized.

12 SENATOR CRUZ: Thank you, Mr. President. I'm  
13 done.

14 SENATOR SIMPSON: Senator Taddeo, you're  
15 recognized for a question.

16 SENATOR TADDEO: Thank you, Mr. President.  
17 Senator, the current map keeps the islands  
18 around Biscayne Bay together in Congressional  
19 District 27. But the new map uses MacArthur Causeway  
20 as the dividing line, thus splitting the community.  
21 Why was this done?

22 SENATOR SIMPSON: Senator Rodrigues, you're  
23 recognized.

24 SENATOR RODRIGUES: Thank you, Mr. President.  
25 Just so I'm clear on the question, the



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1 question is why was MacArthur Causeway utilized as the  
2 boundary for that district?

3 SENATOR SIMPSON: Senator Taddeo, you're  
4 recognized.

5 SENATOR TADDEO: Thank you, Mr. President.

6 Why was MacArthur Causeway used as the  
7 dividing line for Congressional District 27 which now  
8 splits the community versus before it was Biscayne  
9 Bay -- I mean, it was the -- the islands were kept  
10 together in Congressional District 27. Now they're  
11 separated.

12 SENATOR SIMPSON: Senator Rodrigues, you're  
13 recognized.

14 SENATOR RODRIGUES: Thank you, Mr. President.

15 I'm going to yield this question to the map  
16 drawer since it's specific to a boundary that was  
17 utilized.

18 SENATOR SIMPSON: Mr. Ferrin, you're  
19 recognized.

20 MR. FERRIN: Thank you, Mr. President.

21 And, Senator, so specifically, with -- you're  
22 talking about the northeastern boundary of District 27.  
23 That was -- as you're drawing up from the southern end  
24 of the state starting with District 26 -- and keep in  
25 mind that you're drawing Tier 1 protected Hispanic

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1 districts here -- that's a main geographic boundary  
2 which results in actually a much more compact  
3 configuration than is present in the benchmark.

4 SENATOR SIMPSON: Senator Taddeo, you're  
5 recognized.

6 SENATOR TADDEO: Thank you.

7 The current map keeps the community of  
8 Fontainebleau whole. But under the proposed map, this  
9 community is split. Why was this community split?

10 SENATOR SIMPSON: Senator Rodrigues, you're  
11 recognized.

12 SENATOR RODRIGUES: Thank you, Mr. President.

13 And I would go back to the answer that staff  
14 director just gave. We started drawing from the bottom  
15 up there, keeping in mind this is a Tier 1 protected  
16 district. So we had to ensure that the district after  
17 it was drawn would continue to perform in a functional  
18 analysis. Due to the population distribution within  
19 the district, that community was divided between those  
20 two congressional seats.

21 SENATOR SIMPSON: Senator Taddeo, you're  
22 recognized. Are you good?

23 Are there any additional questions? Any  
24 additional questions on the bill?

25 Senator Farmer, you're recognized.

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1 SENATOR FARMER: Thank you, Mr. President.

2 Just a few questions, Chair Rodrigues. So we  
3 know that it's been often discussed and cited of our  
4 limitations in this process and how in particular we  
5 cannot engage in political conduct in connection with  
6 the drawing of these maps. And you've talked a lot  
7 about the safeguards that have been put in place.

8 And I just -- one of the questions I have is  
9 what safeguards were put in place to ensure that staff  
10 is bound by the same standards that bind us.

11 SENATOR SIMPSON: Senator Rodrigues, you're  
12 recognized.

13 SENATOR RODRIGUES: Thank you, Mr. President.  
14 And thank you for the question.

15 And for the edification of the body, I'll  
16 walk through what those safeguards were and why we  
17 needed those safeguards.

18 In the last redistricting cycle which  
19 occurred ten years ago, the Court threw out both the  
20 congressional map and the state senate map. And the  
21 reason those maps were thrown out was the Court found  
22 that there was improper partisan intent that was  
23 utilized in drawing both of those maps. Specifically  
24 there was a shadow organization which the Court found  
25 occurred on both sides of the political spectrum to

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1 attempt to influence the drawing of the maps through  
2 AstroTurfing the public hearings that were held around  
3 the state, through the submission of maps under assumed  
4 names from folks who had not drawn the maps, and the  
5 maps were created by political operatives.

6 When President Simpson constituted this  
7 reapportionment committee, the charge that he gave to  
8 the committee was that we not repeat the mistakes that  
9 had been made in the past. Specifically, our charge  
10 was to draw a map that was constitutional, that  
11 complied with all federal requirements, and that met  
12 all state statutory requirements.

13 So to that end, we took a number of steps to  
14 prevent what occurred in the last cycle from occurring  
15 again.

16 First, on the appearance forms, before anyone  
17 could appear before the committee, they had to disclose  
18 if they had collaborated with anyone or if they -- on a  
19 map that they were bringing forth to comment on, and  
20 they had to disclose if they were being compensated  
21 from anyone for their testimony or any written  
22 submissions that they were making to the committee.

23 On the website, which we did with the House,  
24 which was the public portal for the public to submit  
25 maps and for the public to submit comments, there was



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1 also a form that would have to require the disclosure  
2 of who was collaborated with in the drafting of the map  
3 and whether anyone was receiving compensation.

4 We made the decision that we would treat the  
5 redistricting amendments like we treat the amendment  
6 for any other bill in that, if a member of the public  
7 submitted and a member wanted it considered, it would  
8 be the member's responsibility to check with the person  
9 who submitted the map, confirm there was no improper  
10 partisan intent or incumbent protection intent, and  
11 then serve as the sponsor for that amendment to the  
12 bill.

13 When it came to the staff directives, our  
14 staff was directed to communicate with no one in the  
15 drafting of the maps with the exception of the general  
16 counsel whom we retained as a body to guide us through  
17 this process. Our staff was insulated from external  
18 communications. And the only people staff communicated  
19 with were members and our general counsel.

20 We believe we have put in safeguards that  
21 have prevented the influencing of these maps for any  
22 illegal intent or any illegal purposes. And we believe  
23 we've done that through every possible means.

24 SENATOR SIMPSON: Farmer, you're recognized.

25 SENATOR FARMER: Thank you, Mr. President.

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1 Thank you, Chair Rodrigues, for that response.

2 I think it was well-known and publicized that  
3 release of the final census data was delayed largely  
4 because of COVID. I think we blame just about  
5 everything on COVID. But in this case it did impact  
6 finalization of the census data.

7 Would it be fair to assume that the initial  
8 first drafting of the maps took place using 20 -- 2010  
9 benchmarks and then the initial drafts were revised  
10 once the final census data was obtained.

11 SENATOR SIMPSON: Could everybody please  
12 silence their phones.

13 Senator Farmer, you're recognized. Were you  
14 finished with the question?

15 Senator Rodrigues, you're recognized.

16 SENATOR RODRIGUES: Thank you, Mr. President.  
17 And thank you for the question.

18 And I'll repeat the question in case anyone  
19 missed it. The question was because the census data  
20 was delayed, is it fair to assume the initial drafts of  
21 the maps were done with 2010 census data and then later  
22 updated. And the answer to that question would be no.

23 It is correct that the census data was  
24 delayed. We did not receive the raw, unformatted data  
25 from the U.S. Census Bureau until August. We did not

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1 receive the formatted data until September. In any  
2 other redistricting year, we would have gotten that  
3 data at the same time and we would have received it in  
4 April.

5 The staff did not begin drawing maps until  
6 after they had received the direction from the  
7 committee on what the criteria would be to draw the  
8 maps. That is the criteria that I offered earlier in  
9 response to Senator Cruz. We did not offer that  
10 criteria until our October meeting.

11 By the time the staff received that criteria  
12 and the direction to begin drawing maps, we had the  
13 census data. The census data had been loaded into our  
14 software and it had been verified.

15 So all of the maps that have been produced,  
16 whether they're congressional maps or senate maps by  
17 our committee and by our staff were produced with 2020  
18 census data.

19 SENATOR SIMPSON: Senator Farmer, you're  
20 recognized.

21 SENATOR FARMER: Thank you, Mr. President.  
22 And thank you for that answer, Chair Rodrigues.

23 In September of last year, I wrote to  
24 President Simpson, yourself, Chair Bradley, and Chair  
25 Burgess requesting under Senate Rule 1.47 access to

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1 information, including any One Drive folders and/or  
2 files and any cloud-based documents used by or  
3 accessible to members and/or staff of the  
4 reapportionment committee and its select committees,  
5 any noncloud-based files that are used by or accessible  
6 to members and/or staff of the reapportionment  
7 committee or select committees in relation to the  
8 committee's business, any e-mails sent or received by  
9 committee members and/or staff, any calendars used by  
10 or accessible to any committee members and/or staff  
11 related to the committee's reapportionment business,  
12 software used by or accessible to members and/or staff  
13 in connection with reapportionment, and scanned copies  
14 of any digital information promulgated by, maintained  
15 by, or available to members and/or staff of the  
16 reapportionment committees or select committees.

17 On September 22nd, I received a response from  
18 President Simpson indicating that we would have access  
19 to those materials under Rule 1.47 but also noting that  
20 my request made assumptions that the Senate was further  
21 along in the redistricting process than I had assumed  
22 you were and that delays in census data necessary for  
23 map drawing had caused delays in your process and that  
24 when the process was complete, the joint redistricting  
25 website would be launched.



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1 Since September of 2021, have you been part  
2 of any endeavor to update responses to this request?  
3 And if so, can you tell us what that was?

4 SENATOR SIMPSON: Senator Rodrigues, you're  
5 recognized.

6 SENATOR RODRIGUES: Thank you, Mr. President.

7 I will begin by saying the response you  
8 received from the president was accurate. In September  
9 we had not begun drawing any districts yet. Staff did  
10 not begin that work until October. So if you were  
11 asking for any data related to the drawing of  
12 districts, there would not have been anything to  
13 provide to answer that.

14 I have not received or acted upon any  
15 additional information related to your request since  
16 that answer from the president in September.

17 SENATOR SIMPSON: Senator Farmer, you're  
18 recognized for a question.

19 SENATOR FARMER: Thank you, Mr. President. I  
20 think this is my last one.

21 And in that request, I did include the  
22 request for e-mails or communications or correspondence  
23 that was relevant to, mentioned, or pertained to the  
24 redistricting process. And of course, the response  
25 mentioned the creation of the joint redistricting

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1 website which is now up.

2 But there is no correspondence that is in the  
3 joint redistricting website. Are we to assume that  
4 there was no e-mail communication or correspondence by  
5 and between yourself, staff, or other members of this  
6 body relative to the redistricting process?

7 SENATOR SIMPSON: Chair Rodrigues, you're  
8 recognized.

9 SENATOR RODRIGUES: Thank you, Mr. President.

10 As you can imagine, I've received multiple  
11 public records requests on the e-mails and  
12 communications that I've engaged in through this  
13 process. We have a standing order with my staff to  
14 turn over all of those documents upon their request.

15 What I would say is there have been  
16 communications. And I turned those communications over  
17 upon all public records request.

18 What I would also add to that is the  
19 communications I've had with staff, I would submit  
20 every member has seen because not long after that  
21 communication, the memo comes out where I update the  
22 members of the Senate on where we are in the process,  
23 which is typically the subject of the communications  
24 that I'm having with staff.

25 SENATOR SIMPSON: Senator Farmer, you're

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1 recognized.

2 SENATOR FARMER: Thank you, Mr. President.

3 Just one follow-up on that.

4 And I can imagine, yes, and aware of some of  
5 the public records requests. While you're doing so  
6 much responding and it's a noble undertaking you've  
7 done for us as a body. But can you tell us why those  
8 sorts of communications haven't been uploaded to that  
9 website for the general public to see.

10 SENATOR SIMPSON: Senator Rodrigues, you're  
11 recognized.

12 SENATOR RODRIGUES: Thank you, Mr. President.

13 My understanding is that, if the general  
14 public wants to see those specific communications, they  
15 can request them just like any other public record, and  
16 they'll be turned over to them just like many of the  
17 requests that I've received have been.

18 SENATOR SIMPSON: Are there any additional  
19 questions? Any additional?

20 Seeing no questions, by agreement of the  
21 Democrat and Republican leaders -- Leader Book, you  
22 don't hear what I'm saying? I'm just joking.

23 Is there any further comments by the sponsor?

24 Pursuant to Rule 4.19, the bill is placed on  
25 the calendar. The bill is on third reading.

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1 Before we move to the next bill, Senator  
2 Polsky, you're recognized for a recognition.

3 SENATOR POLSKY: Thank you, Mr. President.  
4 And thank you-all up in the east gallery for being so  
5 patient.

6 We have over 50 students from Broward County  
7 here. I was lucky enough to meet with that great group  
8 over there. And we have board members, Patricia  
9 Rosland Osgood, Ann Murray, Deborah Hixon, Laurie  
10 Alidef -- yes, future senator Osgood -- did I say  
11 Vickie Cartright is superintendent. Nora Rupert. I'm  
12 sorry. I hope I caught everyone. And welcome to the  
13 Florida Senate.

14 SENATOR SIMPSON: Senator Berman. You don't?  
15 Okay. Thank you.  
16 Read the next bill.

17 UNIDENTIFIED MALE: Committee substitute for  
18 Senate Joint Resolution 100, a joint resolution of  
19 apportionment.

20 SENATOR SIMPSON: Senator of the  
21 27th district, Senator Rodrigues, you're recognized to  
22 explain the bill.

23 SENATOR RODRIGUES: Thank you, Mr. President.  
24 This is the second portion of the  
25 responsibility we have as a legislature to redistrict



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1 every ten years. This joint resolution is the  
2 redistricting map for the Florida State Senate that we  
3 submit for your consideration.

4 SENATOR SIMPSON: Are there any amendments?

5 UNIDENTIFIED MALE: On the desk,  
6 Mr. President.

7 SENATOR SIMPSON: Read the first amendment.

8 UNIDENTIFIED MALE: Amendment Bar Code 603792  
9 by Sandra Gibson, delete line 74 to 3116 and insert  
10 amendment.

11 SENATOR SIMPSON: Senator Gibson, you're  
12 recognized on your amendment.

13 SENATOR GIBSON: Thank you, Mr. President.

14 This amendment is one that I filed in  
15 committee. And it is certainly drawn in a  
16 constitutional manner. And it's so nice, I thought I'd  
17 do it twice, Mr. President, to bring it at least to the  
18 full, full Senate.

19 And so this is about, I call it, the duck in  
20 the river as opposed to a constitutional-drawn map that  
21 has negligible difference in the compactness and the  
22 spread of the population that adds several minority  
23 communities, African-American communities, to the  
24 district who are not included in the configuration in  
25 the map before us for consideration today. Those

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1 communities could and should be included in the newly  
2 drawn district which, again, and I repeat, is  
3 constitutional. They are communities of interest that  
4 should be included in the drawing which functions  
5 appropriately and also actually raises the black voting  
6 age population a little bit higher from 41 percent to  
7 42 percent.

8 And let's understand that just -- a black  
9 voting age population is not -- it has to be relevantly  
10 considered when you talk about turnout as well. So  
11 when the population is constitutionally okay and it's  
12 higher without packing, which is a term I'm sure many  
13 of you are familiar with, it's constitutional, and it  
14 should be considered better for those communities that  
15 would be in -- would come out of the river and we would  
16 no longer have a duck in the river, Mr. President.

17 There's -- on each side of the map that we're  
18 considering, outside of my amendment, north, south,  
19 east, and west are communities of color and communities  
20 of interest that would very well fit into the  
21 district -- a constitutionally drawn district that also  
22 promotes -- and while not constitutional -- a  
23 constitutional -- I don't mean it's not constitutional.  
24 While it's not one of the constitutional  
25 considerations, the economic growth opportunity as well

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1 as economic development within a constitutionally drawn  
2 district would help those citizens who live in the  
3 district -- and this is in Jacksonville where I've  
4 lived almost all of my entire life except for my  
5 17 years in Southern California. But I've represented  
6 the area since 2002. So I know it very well. And I  
7 know that we could use my amendment to ensure the  
8 economic health and the physical health and well-being  
9 of those who are left out of the current district, in  
10 the new map, I believe is District 5.

11 And so I can tell where this is going to go.  
12 But I think it's important on behalf of the people in  
13 Jacksonville and the people who live just on the  
14 outside perimeters where there has been growth but not  
15 overgrowth so that changing the district lines does not  
16 denigrate compactness because the constitution doesn't  
17 say it has to be as compact as possible. It says  
18 compact. Compact. And my amendment keeps that  
19 compactness.

20 And so I will ask questions on the map once  
21 we're done. And I will withdraw my amendment today.  
22 And thank you very much for the opportunity to present  
23 a map on behalf of the people in Jacksonville.

24 SENATOR SIMPSON: Senator Gibson, I'll show  
25 the amendment withdrawn without objection.

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1 Are there any -- read the next amendment.

2 UNIDENTIFIED MALE: None on the desk,

3 Mr. President.

4 SENATOR SIMPSON: Are there any questions on  
5 the bill? Any questions on the bill?

6 Senator Gibson, you're recognized for a  
7 question.

8 SENATOR GIBSON: Thank you, Mr. President.

9 So someone asked, after our last committee  
10 meeting, if Democrats get together or if -- on voting  
11 and questions or did anyone give me questions. I wrote  
12 a note on my paper when I got home over the weekend and  
13 said -- it's dated 1/14/2022 at 6:20 p.m., Mr. Chair.  
14 And under that it says, "at home." So I did my work  
15 totally by myself.

16 And so I have questions as it relates to the  
17 demographic info -- first of all, how many -- how  
18 many -- how many individuals were added to the -- both  
19 what -- should I refer to the map now with the new  
20 numbers on it or the previous numbers?

21 SENATOR SIMPSON: New is fine.

22 SENATOR GIBSON: So how many -- how many  
23 voters were added to what is now 4 and 5? Because --  
24 let me establish this it way: Were both 4 and  
25 5 previously 4 and 6 underpopulated? Let me lay the



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1 foundation.

2 SENATOR SIMPSON: Chair Rodrigues, you're  
3 recognized.

4 SENATOR RODRIGUES: Thank you, Mr. President.  
5 On the benchmark map, which was the map that  
6 we're operating under now that was ordered by the  
7 Court, District 4 was overpopulated by 20,662 people,  
8 and District 6 was underpopulated by 11,653 people.

9 SENATOR SIMPSON: Senator Gibson, you're  
10 recognized.

11 SENATOR GIBSON: Thank you, Mr. President.  
12 And so the overpopulation in District 4 was  
13 moved where?

14 SENATOR SIMPSON: Senator Rodrigues, you're  
15 recognized.

16 SENATOR RODRIGUES: Thank you, Mr. President.  
17 The population would have been balanced among  
18 the surrounding districts so that we could get to a  
19 population deviation of less than 2 percent.

20 What I would also add to that though is  
21 because one of these districts is a Tier 1 protected  
22 district, a functional analysis was performed, which  
23 would have been provided in committee and is provided  
24 on the back of the maps that were distributed to each  
25 of the members today to show that, even with the

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1 population rebalancing, it remains a district in which  
2 racial and language minorities may continue to  
3 participate and elect candidates of their choice.

4 SENATOR SIMPSON: Senator Rodrigues, your --  
5 Senator Leader Gibson, you're recognized.

6 SENATOR GIBSON: Thank you, Mr. President.  
7 I'm not sure I understood what that number  
8 is. Do we know based on the benchmark, which wasn't  
9 underpopulated when it was drawn, but is over time only  
10 one of the districts became underpopulated and the  
11 other became overpopulated? Is that -- is that what  
12 you expressed, Mr. Chair?

13 SENATOR SIMPSON: Senator Rodrigues, you're  
14 recognized.

15 SENATOR RODRIGUES: Thank you, Mr. President.  
16 Yes, that's correct.

17 SENATOR SIMPSON: Senator Gibson, you're  
18 recognized.

19 SENATOR GIBSON: Thank you, Mr. President.  
20 So in District now 4 -- no. It was 4 before.  
21 Did it take -- is there -- was there more than just  
22 Nassau and Duval in the district?

23 SENATOR SIMPSON: Senator Rodrigues, you're  
24 recognized.

25 SENATOR RODRIGUES: Thank you, Mr. President.

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1           The counties that were in the district before  
2     remain in the district now. That did not change.

3           SENATOR SIMPSON: Senator Gibson, you're  
4     recognized.

5           SENATOR GIBSON: Thank you, Mr. President.

6           And so the overpopulated -- I think I asked  
7     this question. I wasn't sure of the answer. The  
8     overpopulated District 4 shifted the -- their  
9     overpopulation to District formerly 6 now 5? Or where  
10    did the overpopulation go to?

11          SENATOR SIMPSON: Chairman Rodrigues, you're  
12    recognized.

13          SENATOR RODRIGUES: Thank you, Mr. President.

14          That's correct. The overpopulation shifted  
15    to the neighboring district. In between the two  
16    counties, the population was balanced to get to the  
17    variation of less than 2 percent.

18          SENATOR SIMPSON: Leader Gibson, you're  
19    recognized.

20          SENATOR GIBSON: Thank you, Mr. President.

21          And the overpopulation number was how much in  
22    District 4?

23          SENATOR SIMPSON: Senator Rodrigues, you're  
24    recognized.

25          SENATOR RODRIGUES: Thank you, Mr. President.

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1 In District 4, the overpopulation was 20,662.

2 And in District 6, the underpopulation was 11,653.

3 SENATOR SIMPSON: Leader Gibson, you're  
4 recognized.

5 SENATOR GIBSON: I'm sorry. The  
6 overpopulation in District 4 was 20,000. And the  
7 underpopulation in District 6 was 11,000?

8 SENATOR SIMPSON: Chair Rodrigues, you're  
9 recognized.

10 SENATOR RODRIGUES: Thank you, Mr. President.

11 Just to use the precise figures, the  
12 overpopulation was 20,662 in District 4. The  
13 underpopulation in District 6 was 11,653.

14 SENATOR SIMPSON: Leader Gibson, you're  
15 recognized.

16 SENATOR GIBSON: Thank you, Mr. President.

17 Maybe my -- maybe I don't get the math.  
18 Because I asked where -- where did the -- okay. I'll  
19 do it this way: Where did the 11,653 additional --  
20 were there more than 11,653 voters or people added to  
21 District 6 or now 5?

22 SENATOR SIMPSON: Senator Rodrigues, you're  
23 recognized.

24 SENATOR RODRIGUES: Thank you, Mr. President.

25 So District 6 grew by about 15,000, which



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1 resulted in both districts being overpopulated by about  
2 4,500 each, which puts them within the less than  
3 2 percent threshold.

4 SENATOR SIMPSON: Senator Gibson, you're  
5 recognized.

6 SENATOR GIBSON: Thank you, Mr. President.  
7 What is the demographic of the voters that  
8 were added or the individuals that were added to  
9 District now 5?

10 SENATOR SIMPSON: Senator Rodriguez, you're  
11 recognized.

12 SENATOR RODRIGUES: Thank you, Mr. President.

13 What I would do is I would refer you to the  
14 map that we distributed and refer you to the functional  
15 analysis. That's where I feel we can provide the most  
16 accurate data because we performed a functional  
17 analysis on each of our protected districts. And if  
18 you look at Tier 5 under the functional analysis, you  
19 can see the population. We could go back, pull the  
20 base map, and compare that to the base map. But for  
21 our purposes to ensure that the map is constitutional,  
22 our requirement is to ensure that all Tier 1 districts  
23 are protected and that the racial and language  
24 minorities do not have their opportunity to participate  
25 or elect candidates of their choice diminished. And we

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1 feel this map does that.

2 SENATOR SIMPSON: Leader Gibson, you're  
3 recognized.

4 SENATOR GIBSON: Thank you. Thank you,  
5 Mr. President.

6 And I haven't denied that. I'm trying to  
7 understand the demographic change in -- in -- in the  
8 maps largely between -- well, I guess that wasn't done  
9 for the previous map that I mentioned. So I'd still  
10 like to get an answer for what the demographic is for  
11 the voters that were added to the district even in its  
12 constitutional -- even in its constitutionally aligned  
13 mode.

14 SENATOR SIMPSON: Senator Rodrigues, you're  
15 recognized.

16 SENATOR RODRIGUES: Thank you, Mr. President.

17 Pulling the benchmark map, the BVAP under  
18 that map for District 6 was 43.06 percent. The BVAP  
19 for the new District 5 is 41.2 percent.

20 SENATOR SIMPSON: Leader Gibson, you're  
21 recognized.

22 SENATOR GIBSON: Thank you, Mr. President.  
23 So what is diminishment?

24 SENATOR SIMPSON: Leader Rodrigues, you're  
25 recognized.

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1 SENATOR RODRIGUES: Thank you, Mr. President.

2 The Court has held that diminishment isn't  
3 the raw number of voters. Diminishment is whether the  
4 minority voters have the opportunity to participate in  
5 the political process and elect the candidates of their  
6 choice.

7 So in this case, the functional analysis  
8 shows that they would still be able to elect the  
9 candidate of their choice even with a diminishment of  
10 1 percent in total voters.

11 SENATOR SIMPSON: Senator Gibson, you're  
12 recognized.

13 SENATOR GIBSON: Thank you, Mr. President.

14 Which way were the lines drawn to capture  
15 the, I think -- I think you said it was only 4,000 more  
16 voters. If that's wrong, if you can correct me on  
17 that. Which way were the lines drawn to capture those  
18 additional people in the -- in the District -- District  
19 now 5?

20 SENATOR SIMPSON: Senator Rodrigues, you're  
21 recognized.

22 SENATOR RODRIGUES: Thank you, Mr. President.

23 In the drawing of the map, we started with a  
24 blank map, pulled in the demographics, and then drew  
25 until we had a Tier 1 protected district.

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1 In order to answer your question, they would  
2 have to go run the data from the prior benchmark map  
3 and then overlay it, which we do not have here on the  
4 floor with us at this time.

5 SENATOR SIMPSON: Leader Gibson, you're  
6 recognized.

7 SENATOR GIBSON: Thank you, Mr. President.

8 There's a blank map, and it starts to draw  
9 the line from the middle? I don't understand. So the  
10 benchmark map had lines -- north, south, east, and  
11 west. But we use a blank map to draw lines for the new  
12 district? So where's the --

13 SENATOR SIMPSON: Senator Rodrigues, you're  
14 recognized.

15 SENATOR RODRIGUES: Thank you, Mr. President.

16 The benchmark map identifies what the  
17 existing Tier 1 districts are. Those are the districts  
18 that we cannot diminish. So once we've identified the  
19 Tier 1 districts, we then start with a blank map,  
20 highlight the data we've received from the U.S. Census  
21 Bureau by race, and then the staff began drawing around  
22 the population distribution in order to ensure we had  
23 not diminished the opportunity for minorities to  
24 participate or elect a voter of their choice. The base  
25 map just gave us the starting point.



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1 SENATOR SIMPSON: Gibson, you're recognized.

2 SENATOR GIBSON: Thank you, Mr. President.

3 I think my question is are you starting at  
4 some middle point and just drawing in a circle? Do you  
5 go north, south, east, and west? How do we end up with  
6 this picture?

7 SENATOR SIMPSON: Senator Rodrigues, you're  
8 recognized.

9 SENATOR RODRIGUES: Thank you, Mr. President.

10 Once you've identified the population  
11 distribution, you encircle it and continue to grow  
12 until you have the metrics that are required to protect  
13 the Tier 1 district.

14 SENATOR SIMPSON: Leader Gibson, you're  
15 recognized.

16 SENATOR GIBSON: Thank you, Mr. President.

17 I guess my question is in terms of how the  
18 lines are drawn and who's captured and who's not  
19 captured in a minority access district that could be  
20 constitutionally drawn more than one way. Where in  
21 this configuration -- and I call it a duck. It's not  
22 personal. It just looks like one in a river -- where  
23 was this started and how was it decided which way to  
24 the take the lines? For example, why wasn't it decided  
25 to take the line closer to I think that's the county

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1 line, the broken line that's on the map?

2 SENATOR SIMPSON: Senator Rodrigues, you're  
3 recognized.

4 SENATOR RODRIGUES: Thank you, Mr. President.

5 I'll go back to the statement I made earlier  
6 because it's still applicable here. Once we  
7 highlighted the racial population, we began drawing  
8 from there. If you'll go back and look at the previous  
9 maps, you can follow the population multiple ways.

10 In the amendment that you offered, it was  
11 followed to the east. In the configuration that we  
12 chose to go with, it went -- I believe went north. The  
13 reason we went with the configuration we went with is  
14 we followed political and geographical boundaries that  
15 the Court has recognized are indicators of following  
16 Tier 2 constitutional criteria.

17 So once we had assured that we were  
18 Tier 1 compliant, which trumps all of the other Tier 2  
19 metrics, then the question was which map is the most  
20 Tier 2 compliant among the Tier 1 choices? And the one  
21 we put forth is the most Tier 2 compliant of the  
22 multiple Tier 1 choices that we had.

23 SENATOR SIMPSON: Leader Gibson, you're  
24 recognized.

25 SENATOR GIBSON: Thank you, Mr. President.

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1 I'm still not exactly sure which way you  
2 start or you went north or south. I'm not sure about  
3 that.

4 But in terms of -- in terms of the adjoining  
5 district, do you know what the African-American  
6 population is just -- do you know where the  
7 African-American population is within the District 4?

8 SENATOR SIMPSON: Senator Rodrigues, you're  
9 recognized.

10 SENATOR RODRIGUES: Thank you, Mr. President.

11 The population in District 4 would be  
12 13.54 percent.

13 SENATOR SIMPSON: Senator Gibson, you're  
14 recognized.

15 SENATOR GIBSON: Thank you, Mr. President.

16 I think maybe I misstated my question.  
17 The -- do you know or were you able to look at the line  
18 just I guess you would call it north of the dotted line  
19 between -- in the yellow in 4 and 5? Are you familiar  
20 if there's an -- is there an African-American  
21 population west and north of the current District 5?

22 SENATOR SIMPSON: Senator Rodrigues, you're  
23 recognized.

24 SENATOR RODRIGUES: Thank you, Mr. President.

25 I am unaware of that. I have not looked at

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1 that data.

2 SENATOR SIMPSON: Senator Gibson, you're  
3 recognized.

4 SENATOR GIBSON: Thank you, Mr. President.  
5 And I'll write it down. I'm sorry. Is that  
6 part of the data for the map for District 4?

7 SENATOR SIMPSON: Rodrigues, you're  
8 recognized.

9 SENATOR RODRIGUES: Thank you, Mr. President.  
10 We would not have conducted a functional  
11 analysis on District 4 because District 4 is not a  
12 Tier 1 protected seat. The demographics are available,  
13 which is one of your earlier questions that we were  
14 able to offer. That's the data that we have running  
15 the report.

16 SENATOR SIMPSON: Leader Gibson, you're  
17 recognized.

18 SENATOR GIBSON: I'm getting there.

19 SENATOR SIMPSON: Are there any additional  
20 questions?

21 Leader Gibson, you're recognized.

22 SENATOR GIBSON: Thank you, Mr. President.

23 So if I look at the demographic data of --  
24 well, I can look at the demographic data of District 4,  
25 but it won't tell me the location or how close an



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1 African-American community or a community of color and  
2 a community of interest is to the borderline of  
3 District 5; is that correct?

4 SENATOR SIMPSON: Senator Rodrigues, you're  
5 recognized.

6 SENATOR RODRIGUES: Thank you, Mr. President.  
7 Yes, I believe that is correct.

8 SENATOR SIMPSON: Senator Gibson, you're  
9 recognized.

10 SENATOR GIBSON: Thank you, Mr. President.

11 I just need to write this down because I keep  
12 losing that number of how many -- how many -- the  
13 population number that was overpopulated in District  
14 4 and where that -- where did that population go to.  
15 If you could give me that number one more time,  
16 Mr. Chair, I would greatly appreciate it. The  
17 overpopulated number for District 4 which is still  
18 District 4 was?

19 SENATOR SIMPSON: Senator Rodrigues, you're  
20 recognized.

21 SENATOR RODRIGUES: Thank you, Mr. President.  
22 The overpopulation for District 4 was 20,662.  
23 The underpopulation for District 6 was 11,653.

24 SENATOR SIMPSON: Leader Gibson, you're  
25 recognized.

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1 SENATOR GIBSON: And finally, Mr. President,  
2 how many -- what was the number population that was  
3 added to District 5?

4 SENATOR SIMPSON: Senator Rodrigues, you're  
5 recognized.

6 SENATOR RODRIGUES: Thank you, Mr. President.

7 So the district that was overpopulated would  
8 have had their numbers moved into the district that was  
9 underpopulated. And then the remaining population  
10 would have been evenly split between the two districts.  
11 So I believe in an earlier answer, we said the even  
12 split was 15,000 after we took care of the  
13 underpopulation. And that 15,000 was distributed  
14 between the two districts.

15 SENATOR SIMPSON: Leader Gibson, you're  
16 recognized.

17 SENATOR GIBSON: Thank you, Mr. President.

18 SENATOR SIMPSON: You're welcome.

19 SENATOR GIBSON: Thank you, Mr. Chair.

20 SENATOR SIMPSON: Are there any additional  
21 questions? Any additional questions?

22 Senator Farmer, you're recognized for a  
23 question.

24 SENATOR FARMER: Thank you, Mr. President.

25 And I'll get through this quickly. You won't need

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1 another bottle of water there, Chair.

2 Just sort of housekeeping here for the  
3 record. The questions I asked you on the congressional  
4 map, if I were to ask those same questions with regard  
5 to the state legislative maps, I'm assuming your  
6 answers would be the same.

7 SENATOR SIMPSON: Senator Rodrigues, you're  
8 recognized.

9 SENATOR RODRIGUES: Thank you, Mr. President.  
10 Yes, they would.

11 SENATOR SIMPSON: Leader Farmer, you're  
12 recognized.

13 SENATOR FARMER: Thank you, Mr. President.

14 You have talked throughout the process --  
15 spoken, I should say, throughout the process about  
16 retrogression and avoiding retrogression. We know  
17 through the census numbers that we saw a dramatic  
18 increase in Hispanic population here in the state of  
19 Florida. It looks like it's a little over 1.2 million  
20 in growth, almost 39 percent change in Hispanic  
21 population for the state of Florida.

22 Can you talk about how you accounted for this  
23 growth in Hispanic population? And sort of related to  
24 the questions Senator Torres asked earlier, doesn't  
25 that show for a need for more Hispanic represented

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1 districts in the state legislative maps?

2 SENATOR SIMPSON: Senator Rodriguez, you're  
3 recognized.

4 SENATOR RODRIGUES: Thank you, Mr. President.

5 And the first thing I would point out is that  
6 the maps that we drew follow the population. We get  
7 our data from the U.S. census. We do not manipulate  
8 that data once we receive it from the U.S. census. And  
9 then we follow the population distribution.

10 The second point I would make is that, if you  
11 look at the benchmark map for senate districts, there  
12 were four majority minority districts and one  
13 opportunity district for Hispanic voters due to the  
14 population distribution. With the data that we have  
15 from the U.S. census, all five of those seats are now  
16 majority minority districts.

17 So I would submit that the upgrade from an  
18 opportunity district to a majority minority district is  
19 reflected of the growth, and it's reflective of that  
20 growth because that is where the population settled.

21 SENATOR SIMPSON: Leader Farmer, you're  
22 recognized.

23 SENATOR FARMER: Thank you, Mr. President.

24 And so just to follow up to that question,  
25 Chair. So which are the districts that reflect that



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1 upgrade or upgrowth that you just reflected  
2 particularly as to those Hispanic districts and as it  
3 relates to growth in the African-American population,  
4 which I think was just north of 300,000?

5 SENATOR SIMPSON: Senator Rodrigues, you're  
6 recognized.

7 SENATOR RODRIGUES: Thank you, Mr. President.

8 We'll start with the Hispanic districts  
9 first. Those would be District 25, District 39,  
10 District 36, District 38, and District 40.

11 For the African-Americans, those districts  
12 would be 5, 15, 16, 32, and 34.

13 SENATOR SIMPSON: Senator Farmer, you're  
14 recognized.

15 SENATOR FARMER: Thank you, Mr. President.  
16 That's all I had. Thank you.

17 SENATOR SIMPSON: Perfect.

18 Are there any additional questions? Any  
19 additional questions on the bill?

20 Leader Rodrigues, would you like to make any  
21 further comments?

22 SENATOR RODRIGUES: -- this time.

23 SENATOR SIMPSON: Pursuant to Rule 4.19, the  
24 bill is placed on the calendar of bills on third  
25 reading.

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1 Read the next bill.

2 UNIDENTIFIED MALE: Senate Bill 7000, a bill  
3 to be entitled an act relating to a review under the  
4 Open Government Sunset Review Act.

5 SENATOR SIMPSON: Senator of the 36th  
6 district, Senator Diaz, you are recognized.

7 SENATOR DIAZ: Thank you Mr. President.

8 This bill saves from repeal the public  
9 records exemption in Section 382 for certain  
10 information that may be collected by the department of  
11 health when issuing nonviable birth certificates.

12 SENATOR SIMPSON: Are there any amendments?

13 UNIDENTIFIED MALE: None on the desk,  
14 Mr. President.

15 SENATOR SIMPSON: Any questions on the bill?  
16 Any questions?

17 Seeing none, by agreement of the Democrat and  
18 Republican leaders, the senator of the 36th district,  
19 Senator Diaz, moves the bill be read a third time.

20 Is there any objection?

21 Seeing none, show the motion adopted.

22 Read the bill.

23 UNIDENTIFIED MALE: Senate Bill 7000, a bill  
24 to be entitled an act relating to a review under the  
25 Open Government Sunset Review Act.

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1           SENATOR SIMPSON: Is there any debate on the  
2 bill? Any debate?

3           Senator Diaz waives his close.

4           The secretary will unlock the board, and  
5 senators will proceed to vote.

6           Lock the board and record the vote.

7           UNIDENTIFIED MALE: 35 yeas, 0 nays,  
8 Mr. President.

9           SENATOR SIMPSON: Show the bill passes.  
10          Read the next bill.

11          UNIDENTIFIED MALE: Senate Bill 7002, a bill  
12 to be entitled an act relating to a review under the  
13 Open Government Sunset Review Act.

14          SENATOR SIMPSON: The senator of the 36th  
15 district, Senator Diaz, you are recognized to explain  
16 the bill.

17          SENATOR DIAZ: Thank you, Mr. President.

18          SB 7002, Open Government Sunset Review saves  
19 from repeal Section 381.987, the section of the statute  
20 that makes the following information confidential and  
21 exempt from public records all of the identifying  
22 information held by the Department of Health reference  
23 medical marijuana use registry.

24          SENATOR SIMPSON: Are there any questions on  
25 the bill?

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1 By agreement of the Democrat and Republican  
2 leaders, the senator of the 36th district, Senator Diaz  
3 moves the bill be read a third time.

4 Without that objection, show that motion  
5 adopted.

6 Read the bill.

7 UNIDENTIFIED MALE: Senate Bill 7002, a bill  
8 to be entitled an act relating to a review under the  
9 Open Government Sunset Review act.

10 SENATOR SIMPSON: Is there any debate on the  
11 bill? Any debate?

12 Senator Diaz waives his close.

13 The secretary will unlock the board, and  
14 senators will proceed to vote.

15 Lock the board, and record the vote.

16 UNIDENTIFIED MALE: 35 yeas, 0 nays,  
17 Mr. President.

18 SENATOR SIMPSON: Show the bill passes.

19 Read the next bill.

20 UNIDENTIFIED MALE: Senate Bill 7004, a bill  
21 to be entitled an act relating to a review under the  
22 Open Government Sunset Review Act.

23 SENATOR SIMPSON: Senator Gruters of the 23rd  
24 district, you're recognized to explain the bill.

25 SENATOR GRUTERS: Thank you, Mr. President.



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1 Senate Bill 7004 saves from repeal the public  
2 records and public meetings exemption for records of  
3 state university and Florida college system  
4 institutions pertaining to information technology  
5 security systems. If the disclosure of the records  
6 would facilitate the unauthorized access to data  
7 information, IT resources, or IT risk assessments or  
8 audits. That is the bill.

9 SENATOR SIMPSON: Are there any amendments?

10 UNIDENTIFIED MALE: None on the desk,  
11 Mr. President.

12 SENATOR SIMPSON: Are there any questions on  
13 the bill? Any questions?

14 Seeing none, by agreement of the Democrat and  
15 Republican leaders, the senator of the 23rd district  
16 Senator Gruters, moves the bill be read a third time.

17 Without objection, show that motion adopted.  
18 Read the bill.

19 UNIDENTIFIED MALE: Senate Bill 7004, a bill  
20 to be entitled an act relating to a review under the  
21 Open Government Sunset Review act.

22 SENATOR SIMPSON: Is there any debate on the  
23 bill? Any debate?

24 Seeing none, Chair Gruters, waive your close.  
25 The secretary will unlock the board, and

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1 senators will proceed to vote.

2 Lock the board, and record the vote.

3 UNIDENTIFIED MALE: 35 yeas, 0 nays,

4 Mr. President.

5 SENATOR SIMPSON: Read the next bill.

6 UNIDENTIFIED MALE: Senate Bill 7006, a bill

7 to be entitled an act relating to a review under the

8 Open Government Sunset Review act.

9 SENATOR SIMPSON: Senator Gruters of the  
10 23rd district, you are recognized to explain the bill.

11 SENATOR GRUTERS: Thank you, Mr. President.

12 The legislature created a public meetings and  
13 records exemption for the records of a post secondary  
14 campus emergency response. The exemption is intended  
15 to ensure institutional security in the case of an  
16 emergency and to protect the safety of students.

17 Senate Bill 7006 saves the exemption from  
18 repeal.

19 That is the bill.

20 SENATOR SIMPSON: Are there any amendments?

21 UNIDENTIFIED MALE: None on the desk,

22 Mr. President.

23 SENATOR SIMPSON: Are there any questions?

24 By agreement of the Democrat and Republican  
25 leaders, senator of the 23rd district, Senator Gruters,

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1 moves the bill be read a third time.

2 Without objection, show that motion adopted.

3 Read the bill.

4 UNIDENTIFIED MALE: Senate Bill 7006, a bill  
5 to be entitled an act relating to a review under the  
6 Open Government Sunset Review act.

7 SENATOR SIMPSON: Is there any debate on the  
8 bill?

9 Senator Berman, you're recognized. Debate.

10 SENATOR BERMAN: Thank you, Mr. President.

11 The public necessity statement suggested that  
12 the dissemination of an emergency response plan could  
13 hinder an institution's response to an act of  
14 terrorism.

15 Despite that stated intent, the statute has  
16 been used to deny access to university and college  
17 pandemics' response plan. The sponsor -- the then  
18 representative who sponsored this bill, Byron Daniels,  
19 told reporters that the law was never intended to  
20 exempt a school's pandemic protocol and he actually  
21 encouraged student -- school officials to release the  
22 documents. They were not released.

23 So because of that, I believe this bill is  
24 overbroad and fails to meet the constitutional  
25 standards of -- required for a exception to the

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1 sunshine laws. And I ask you to oppose the extension  
2 today. Thank you.

3 SENATOR SIMPSON: Is there any additional  
4 debate on the bill?

5 Senator Gruters, you are recognized to close  
6 on your bill.

7 He waives his close.

8 The secretary will unlock the board, and  
9 senators prepare to vote -- proceed to vote.

10 Lock the board and record the vote.

11 UNIDENTIFIED MALE: 31 yea, 4 nays,  
12 Mr. President.

13 SENATOR SIMPSON: Show the bill passes.

14 Read the next bill.

15 UNIDENTIFIED MALE: Senate Bill 7008, a bill  
16 to be entitled an act relating to a review under the  
17 Open Government Sunset Review Act.

18 SENATOR SIMPSON: Leader Book of the 32nd  
19 district, you are recognized to explain the bill.

20 SENATOR BOOK: Thank you so much,  
21 Mr. President.

22 SPB 7008 saves from appeal a public records  
23 exemption for petitions for involuntary assessment and  
24 stabilization under the Marchman Act. Originally  
25 enacted in 2017, the exemption provides that all



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1 petitions for involuntary assessment and stabilization  
2 court orders and related records filed with or by a  
3 court under Florida's Marchman Act are confidential and  
4 exempt from Florida's public records laws. 32 of the  
5 67 clerks of court responded to the questionnaire that  
6 was posed by DCF staff. 29 of those 32 requested that  
7 the exemption be reenacted as is. Three did not  
8 specify a preference and their preferred action by the  
9 legislature with regard to the exemption.

10 Therefore, SPB 7008 eliminates the sunset  
11 date and reenacts the exemption in its current form.

12 SENATOR SIMPSON: Are there any amendments?

13 UNIDENTIFIED MALE: None on the desk,  
14 Mr. President.

15 SENATOR SIMPSON: Are there any questions on  
16 the bill? Any questions?

17 Seeing none, by agreement of the Democrat and  
18 Republican leaders, Senator Book of the 32nd district  
19 moves the bill be read a third time.

20 Without objection, show the motion adopted.

21 Read the bill.

22 UNIDENTIFIED MALE: Senate Bill 7008, a bill  
23 to be entitled an act relating to a review under the  
24 Open Government Sunset Review act.

25 SENATOR SIMPSON: Is there any debate on the

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1 bill? Any debate?

2 Seeing none, Senator Book waives her close.

3 The secretary will unlock the board, and  
4 senators will proceed to vote.

5 Lock the board and record the vote.

6 UNIDENTIFIED MALE: 35 yeas, 0 nays,

7 Mr. President.

8 SENATOR SIMPSON: Show the bill passes.

9 Read the next bill.

10 UNIDENTIFIED MALE: Senate Bill 7010, a bill  
11 to be entitled an act relating to a review under the  
12 Open Government Sunset Review act.

13 SENATOR SIMPSON: The senator of the 32nd  
14 district, Leader Book, is recognized to explain the  
15 bill.

16 SENATOR BOOK: Thank you so much,  
17 Mr. President.

18 SPB 7010 saves from appeal public records  
19 exemption for certain information held by the  
20 department of elder affairs related to complaints filed  
21 with the office of public and professional guardians.

22 SENATOR SIMPSON: Are there any amendments?

23 UNIDENTIFIED MALE: None on the desk,  
24 Mr. President.

25 SENATOR SIMPSON: Are there any questions on

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1 the bill? Any questions?

2 By agreement of the Democrat and Republican  
3 leaders, Leader Book of the 32nd district moves that  
4 the bill be read a third time.

5 Without objection, show that motion adopted.

6 Read the bill.

7 UNIDENTIFIED MALE: Senate Bill 7010, a bill  
8 to be entitled an act relating to a review under the  
9 Open Government Sunset Review Act.

10 SENATOR SIMPSON: Is there any debate on the  
11 bill? Any debate?

12 Senator Book waives her close.

13 The secretary will unlock the board, and  
14 senators will proceed to vote.

15 Lock the board, and record the votes.

16 UNIDENTIFIED MALE: 33 yea, 0 nays,  
17 Mr. President.

18 SENATOR SIMPSON: Show the bill passes.

19 Read the next bill.

20 UNIDENTIFIED MALE: Senate Bill 7016, a bill  
21 to be entitled an act relating to a review under the  
22 Open Government Sunset Review Act.

23 SENATOR SIMPSON: The senator of the 21st  
24 district, Senator Boyd, you're recognized to explain  
25 the bill.

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1 SENATOR BOYD: Thank you, Mr. President.

2 This proposed bill saves from repeal  
3 exemptions for certain information submitted to the  
4 department of financial services.

5 SENATOR SIMPSON: Are there amendments?

6 UNIDENTIFIED MALE: None on the desk,  
7 Mr. President.

8 SENATOR SIMPSON: Are there questions on the  
9 bill?

10 By agreement of the Democratic and Republican  
11 leaders, Senator Boyd moves the bill be read a third  
12 time.

13 Without objection, show that motion adopted.  
14 Read the bill.

15 UNIDENTIFIED MALE: Senate Bill 7016, a bill  
16 to be entitled an act relating to a review under the  
17 Open Government Sunset Review Act.

18 SENATOR SIMPSON: Is there any debate on the  
19 bill? Any debate?

20 Senator Boyd waives his close.

21 The secretary will unlock the board, and  
22 senators will proceed to vote.

23 Lock the board, and record the vote.

24 UNIDENTIFIED MALE: 35 yeas, 0 nays,  
25 Mr. President.



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1 SENATOR SIMPSON: Show the bill passes.

2 Read the next bill.

3 UNIDENTIFIED MALE: Senate Bill 7018, a bill  
4 to be entitled an act relating to a review under the  
5 Open Government Sunset Review Act.

6 SENATOR SIMPSON: The senator of the  
7 21st district, Senator Boyd, you're recognized to  
8 explain your bill.

9 SENATOR BOYD: Thank you, Mr. President.

10 This proposed bill saves from repeal the  
11 public records exemption certain personal identifying  
12 information of an injured or deceased worker contained  
13 in reports contained and held by the department of  
14 financial services.

15 SENATOR SIMPSON: Are there any amendments?

16 UNIDENTIFIED MALE: None on the desk,  
17 Mr. President.

18 SENATOR SIMPSON: Are there any questions?

19 By agreement of the Democrat and Republican  
20 leaders, the senator of the 21st district, Senator  
21 Boyd, moves the bill be read a third time.

22 Without objection, show that motion adopted.

23 Read the bill.

24 UNIDENTIFIED MALE: Senate Bill 7018, a bill  
25 to be entitled an act relating to a review under the

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1 Open Government Sunset Review Act.

2 SENATOR SIMPSON: Is there any debate on the  
3 bill?

4 Senator of the 21st district waives his  
5 close.

6 The secretary will unlock the board, and  
7 senators will proceed to vote.

8 Lock the board, and record the vote.

9 UNIDENTIFIED MALE: 35 yea, 0 nays,  
10 Mr. President.

11 SENATOR SIMPSON: Read the next bill.

12 UNIDENTIFIED MALE: Senate Bill 7020, a bill  
13 to be entitled an act relating to a review under the  
14 Open Government Sunset Review Act.

15 SENATOR SIMPSON: Senator of the 21st  
16 district, Senator Boyd, you're recognized to explain  
17 the bill.

18 SENATOR BOYD: Thank you, Mr. President.

19 This proposed bill saves from repeal certain  
20 information -- exemption on certain information of  
21 personal identifying information of customers that  
22 appear in records, reports, and names that are held by  
23 the department of financial services.

24 SENATOR SIMPSON: Are there --

25 SENATOR BOYD: Excuse me. Office of

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1 financial regulation.

2 SENATOR SIMPSON: Thank you.

3 Are there any amendments?

4 UNIDENTIFIED MALE: None on the desk,  
5 Mr. President.

6 SENATOR SIMPSON: Are there any questions?

7 By agreement of the Democratic and Republican  
8 leaders, the senator of the 21st district, Senator  
9 Boyd, moves the bill be read a third time.

10 Without objection, show that motion adopted.

11 Read the bill.

12 UNIDENTIFIED MALE: Senate Bill 7020, a bill  
13 to be entitled an act relating to review under the Open  
14 Government Sunset Review Act.

15 SENATOR SIMPSON: Is there debate on the  
16 bill?

17 Leader Farmer, you're recognized in debate.

18 SENATOR FARMER: Thank you, Mr. President.

19 I believe this exemption was too broad when  
20 it was initially passed. It also exempts from public  
21 record information held by the office of financial  
22 regulation regarding to investigations of financial  
23 institutions and the regulation of those financial  
24 institutions. I believe that's information that  
25 investors should have access to. And so I would oppose

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1 this one.

2 Thank you.

3 SENATOR SIMPSON: Is there any additional  
4 debate?

5 Seeing none, Senator Boyd waives his close.

6 The secretary will unlock the board, and  
7 senators will proceed to vote.

8 Lock the board, and record the vote.

9 UNIDENTIFIED MALE: 33 yeas, 2 nays,  
10 Mr. President.

11 SENATOR SIMPSON: Show the bill passes.

12 Senator of the 28th district, Rules Chair  
13 Passidomo, for what purpose do you rise?

14 SENATOR PASSIDOMO: For a series of motions,  
15 Mr. President.

16 SENATOR SIMPSON: You are recognized.

17 SENATOR PASSIDOMO: Thank you.

18 I move the rules be waived and all the bills  
19 passed today be immediately certified to the House. I  
20 further move that the rules be waived and the amendment  
21 deadline for all bills on tomorrow's third reading  
22 calendar be one hour after the secretary announces that  
23 all amended bills have been engrossed.

24 SENATOR SIMPSON: Without objection, show the  
25 motions adopted.



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1 Before I recognize the rules chair for  
2 another motion, are there any additional announcements?

3 Seeing none, Madam Rules Chair, you're  
4 recognized.

5 SENATOR PASSIDOMO: Thank you, Mr. President.

6 I move that the Senate adjourn until  
7 2:30 p.m. on Thursday, January 20th upon the call of  
8 the president for the purpose of holding committee  
9 meetings and conducting other Senate business.

10 SENATOR SIMPSON: Without objection, the  
11 Senate is now adjourned for the day.

12 (Recording ends.)

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## CERTIFICATE OF REPORTER

STATE OF NORTH CAROLINA )

COUNTY OF MECKLENBURG )

I hereby certify that the foregoing is a true  
and correct transcript of the electronically recorded  
proceedings in the above-entitled matter.

This, the 14th day of March, 2023.



---

MEREDITH R. SCHRAMEK

Notary Public in and for

County of Mecklenburg

State of North Carolina

Notary Number 200814200186

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