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Common Cause, et al.)
)
v.) 4:22-cv-109
)
Cord Byrd)

)

TRANSCRIPTION OF AUDIO FILE
11322 Senate Committee on Reapportionment
The Florida Channel
January 13, 2022

DIGITAL EVIDENCE GROUP
1730 M Street, NW, Suite 812
Washington, D.C. 20036
(202) 232-0646

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1 (Beginning of Video Recording.)

2 CHAIR RODRIGUES: The Committee on

3 Reapportionment will now come to order.

4 Danna, please call the role.

5 MS. DANNA: Chair Rodrigues?

6 CHAIR RODRIGUES: Here.

7 MS. DANNA: Vice Chair Broxson?

8 MR. BROXSON: Here.

9 MS. DANNA: Senator Bean?

10 MR. BEAN: Here.

11 MS. DANNA: Senator Bracy?

12 MR. BRACY: Here.

13 MS. DANNA: Senator Bradley?

14 MS. BRADLEY: Here.

15 MS. DANNA: Senator Burgess?

16 MR. BURGESS: Here.

17 MS. DANNA: Senator Gibson?

18 MS. GIBSON: Here.

19 MS. DANNA: Senator Harrell?

20 MS. HARRELL: Here.

21 MS. DANNA: Senator Rodriguez?

22 MS. RODRIGUEZ: Here.

23 MS. DANNA: Senator Rouson?

24 MR. ROUSON: Here.

25 MS. DANNA: Senator Stargel?

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1 MS. STARGEL: Here.

2 MS. DANNA: Senator Stewart?

3 MS. STEWART: Here.

4 MS. DANNA: A quorum is present, Mr.

5 Chair.

6 CHAIR RODRIGUES: Thank you. I would
7 bring to the Members' attention and those in
8 the audience request to silence all of your
9 electronic devices. We wouldn't want those
10 going off while we're in the meeting here
11 today.

12 Anyone wishing to speak before the
13 Committee should complete an appearance card
14 and hand it to a member of the Sergeant's
15 office. Should you select to waive your
16 speaking time, your position will be included
17 in the Committee records.

18 I'd like to commend the Members of the
19 select subcommittees on Congressional and
20 Legislative Reapportionment for their hard
21 work and their efforts in recommending plans
22 that are consistent with all legal
23 requirements and with the directives issued to
24 Staff by the full committee.

25 After reviewing the recommendations of

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1 the select subcommittees with Staff and
2 Counsel, I have filed amendments to SJR 100
3 and Senate Bill 102. The substance of my
4 amendments are Congressional plan S000C8040
5 and Senate plan S000S8046, which I believe
6 most consistently adhere to the directives
7 issued to Staff by the full committee.

8 Today the committee will take up
9 amendments, questions, debate, and public
10 testimony, on both the Congressional and the
11 State Senate maps. The Congressional map will
12 be considered first before we move on to
13 consideration of the Senate map.

14 For the Senate map, I have proposed to
15 the Committee that we follow The Supreme Court
16 precedent of numbering districts in an
17 incumbent neutral manner. The Court has
18 accepted a random numbering process as
19 compliant with its precedent.

20 Accordingly, once we have concluded our
21 consideration on the geographical make-up of
22 the Senate map we will randomly number the
23 Senate map.

24 As a reminder, the Florida Constitution
25 specifies that odd numbered districts run for

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1 election in years that are multiple of four so
2 after this one the next one would be 2024, and
3 even numbered districts run for election in
4 years that are not.

5 So the next election after this one in
6 an even numbered district would appear 2026.
7 As we all know, all Senate districts will be
8 up for election this year in 2022.

9 To facilitate the numbering process
10 forty cards have been produced. Each card is
11 the same size and weight. There are twenty
12 cards labeled even and twenty cards labeled
13 odd. Each of those cards has been placed into
14 an envelope. There are no distinguishing
15 features on any envelope.

16 No card is visible in any way from the
17 outside of the envelope. The Secretary of the
18 Senate has placed the envelopes in a glass
19 container with a lid and mixed the cards both
20 before and after placing them in the container
21 to ensure that there was no possibility of an
22 intentional pattern with which the cards were
23 put in the container.

24 The Secretary is here to present the
25 closed container to the Committee.

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1 Secretary Debbie Brown? Thank you,
2 Secretary.

3 And she has given us the process by
4 which the cards were created, placed in the
5 envelopes, sealed, and attested to the chain
6 of custody up the point that we have received
7 them. I'll hand that over to the Staff
8 Director to be entered into the record.

9 Prior to the Committee's final vote on
10 the Senate map, each district will have a card
11 drawn from the container to designate it as an
12 odd or even numbered district. After the
13 random numbering has been completed the
14 Committee will then take an informal recess so
15 that the Committee staff can prepare an
16 amendment to overlay the new district numbers
17 on the map.

18 From a process standpoint, the
19 numbering overlap will take the form of a late
20 filed substitute amendment. Please be
21 prepared for an informal recess of
22 approximately one hour before the Committee's
23 final procedural vote on the Senate map as
24 it's been randomly renumbered. Do we have any
25 questions on the process that I've just

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1 described?

2 MR. BEAN: Mr. Chairman?

3 CHAIR RODRIGUES: Yes sir, President
4 Pro Tem Bean, you're recognized.

5 MR. BEAN: Chairman, thank you so much
6 for very illustratively laying out the
7 randomness of the selection of districts, and
8 I know it's going to be random.

9 Here's my question and we have and
10 maybe it's not an issue at all, but we have
11 you know our districts have all been laid out
12 where there close to being a number and there
13 easily followed, are we worried is -- if we
14 get five or six evens in a row or something,
15 are we worrying about clustering of even
16 numbers in a certain area or have we
17 anticipated that or is that just due to the
18 randomness the way it will be drawn out of the
19 jar? Is that a valid concern or it's not a
20 concern at all?

21 CHAIR RODRIGUES: What I would say is,
22 what we've seen from the Court is that the
23 random method has been blessed as a method for
24 renumbering the districts. If that were to
25 happen it would be definitely a statistical

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1 anomaly, but it is a possibility that it could
2 occur. We will proceed bringing up each
3 district so that everybody knows the number
4 we're pulling for and then going through this
5 process to make the determination of whether
6 that is odd or even.

7 MR. BEAN: Very good. So and -- with a
8 follow up question. So we will identify what
9 is now known as say, District Number 1, which
10 typically always starts in the Panhandle,
11 that's just traditionally the way the easiest
12 way to understand a numbered map, but under
13 the circumstances of which you've outlined,
14 that district.

15 So we'll say this is the first district
16 of which we are drawing, the card will be
17 drawn and then opened and whatever that is,
18 odd or even, if it's an odd it will then again
19 be assigned the number 1 and an even would
20 then we would start with number 2?

21 CHAIR RODRIGUES: That is correct.

22 MR. BEAN: And then, if traditionally
23 the number 2 district which we will draw for
24 if that's an even that would then be not be
25 labeled 2, but it would be labeled then 4?

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1 CHAIR RODRIGUES: The second district,
2 assuming the first one was odd, the one next
3 to it if it was even that would probably be 2,
4 and then we would proceed on --

5 MR. BEAN: Okay.

6 CHAIR RODRIGUES: -- the district
7 that's currently known as 3 to make a
8 determination of whether it would be odd or
9 even.

10 MR. BEAN: Odd or even? And again, if
11 we get six in a row or whatever because it's
12 going to be random, it's like a coin flip.
13 But if there's six in a row, it could be 2, 4,
14 6, 8, across the top before we get to our
15 first odd number? And you and Jay, the Staff
16 Director, is nodding that could be it and
17 that's the way the ping pongs bounce or the
18 cards are drawn? Thank you.

19 CHAIR RODRIGUES: That is a
20 possibility, indeed. Do we have any other
21 questions? Senator Gibson?

22 MS. GIBSON: Excuse me. Thank you, Mr.
23 Chair. I don't think I heard how the years
24 are going to work. I think there's 4, 2, I'm
25 pretty sure that's correct?

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1 CHAIR RODRIGUES: That's --

2 MS. GIBSON: Where is that in the
3 process?

4 CHAIR RODRIGUES: -- that's dictated by
5 the Constitution. So in the Florida
6 Constitution, it says that, odd numbered
7 districts run for election in years that are
8 multiples of 4. And even numbered districts
9 run in years that are not.

10 So we're in 2022 now, which is a
11 redistricting year. Every race will be on the
12 ballot. In 2024, the -- which is a multiple
13 of 4, the odd numbers would be on the ballot.
14 And then in 2026, is when the even numbers
15 would first appear on the ballot after the
16 selection.

17 MS. GIBSON: Thank you. Can I
18 understand the card process? Again, so we're
19 going to randomly draw the cards that are
20 stacked up in the jar and then the cards are
21 going to be placed on a map?

22 CHAIR RODRIGUES: So we'll draw, we'll
23 identify the district we're drawing for. So
24 let's use the example that President Bean
25 mentioned and we start in the Panhandle with

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1 District 1. We announce we are drawing for
2 District 1. We will pull a card out, open it
3 up, and it will either say odd or even. If it
4 says odd, we'll write on the map, odd for that
5 district.

6 We will do that for all 40 districts
7 and identify whether their card is indicated
8 that they will have an odd number or an even
9 number. Once we have completed that, we will
10 then take an informal recess and Committee
11 Staff will go back and renumber the map,
12 either odd or even, based upon how the cards
13 were drawn.

14 MS. GIBSON: Uh-hum. Okay.

15 CHAIR RODRIGUES: Senator Stewart, do
16 you have a question?

17 MS. STEWART: No, but I did want to
18 point out that when these were drawn in the
19 last ten years, four of the central Florida
20 area all had odd numbers.

21 CHAIR RODRIGUES: So those anomalies
22 can occur in a random process and have in the
23 past. Thank you. Do we have any other
24 questions on the process? Seeing none. We
25 will move forward -- Senator Gibson, you're

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1 recognized for a question?

2 MS. GIBSON: Thank you, Mr. Chair. Is
3 this more random than last reapportionment we
4 had like the, I called it Senate lotto, is
5 this more random or equally as random as that
6 process?

7 CHAIR RODRIGUES: Although I'm not a
8 mathematician, I believe what we will be told
9 is that they were equally random. Okay,
10 seeing no more questions. We will move to the
11 agenda. Let's take up tab 1, Senate Bill 102
12 on establishing the Congressional Districts of
13 the State sponsored by the Chair, Senator
14 Rodrigues.

15 There's one amendment, so let's take up
16 the amendment which is barcode 652836. That
17 is the amendment that I have filed that is
18 based upon the map that I received from the
19 select subcommittee and Mr. Ferrin, can you
20 please walk us through that map?

21 MR. FERRIN: Thank you, Mr. Chairman.
22 So pursuant to the directives given to Staff,
23 this plan was drawn to be consistent with the
24 plain language of the Florida Constitution,
25 Federal law, and existing judicial precedent.

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1 The balance is the coequal criteria outlined
2 in the Tier 2 standards of article 3, section
3 20 of the Florida Constitution except where
4 doing so conflicts with the Tier 1 standards.

5 A functional analysis of the minority
6 districts in the plan confirms that it does
7 not diminish the ability of racial and
8 language minorities to elect candidates of
9 their choice. When drawing visually compact
10 districts, county boundaries were used where
11 it was feasible.

12 When a county was split, static
13 geographic features such as major roads,
14 railroads, and water bodies, were used in a
15 manner that sought to keep cities whole where
16 feasible. In cases where a municipality was
17 split, static geographic features were used
18 when it was feasible to do so.

19 When none were available a municipal
20 boundary may have been used. Consistent with
21 the committee's directives to prepare
22 Congressional plans with population deviations
23 of plus or minus one person from the ideal
24 population, boundaries may deviate slightly
25 from political and geographic boundaries.

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1 Like the benchmark plan, this plan has
2 four African American districts and four
3 Hispanic districts.

4 Starting in the Panhandle, District 1
5 was drawn eastward until it reached the ideal
6 population in Walton County. The boundary
7 uses State Road 83 for its entirety except
8 where necessary to balance population in and
9 around the City of DeFuniak Springs which is
10 consistent with the Committee's directives to
11 utilize easily recognizable and readily
12 ascertainable boundaries while considering the
13 impermanent and changing nature of municipal
14 boundaries. This also results in a visually
15 and mathematically compact configuration.

16 District 2 comprises fifteen whole
17 counties which is consistent with the
18 Committee's directives to, where feasible,
19 explore configurations consisting of whole
20 counties in less populated areas. Its
21 configuration is affected by the neighboring
22 District 5, a Tier 1 protected district.

23 As directed by the Committee, the
24 boundary utilizes easily recognizable and
25 readily ascertainable boundaries while also

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1 considering municipal boundaries in permanent
2 and changing nature. This results in a 4
3 percent use of non-political and geographic
4 boundaries.

5 District 3 is composed of Union,
6 Bradford, Clay, Alachua, Putnam Counties and
7 part of Marion County. It's extensive use of
8 county boundaries and keeps the City of Ocala
9 whole within the district.

10 District 4 comprises all of Nassau
11 County and part of Duval and St. Johns. This
12 district also uses extensively political and
13 geographic boundaries with a 3 percent use of
14 non-political and geographic features. The
15 parts from these features were necessary to
16 maintain the ability to elect a neighboring
17 Tier 1 protected district and to equalize
18 population.

19 District 5 is an affected minority
20 district. A functional analysis confirms that
21 this configuration does not deny or abridge
22 the opportunity for African Americans to
23 participate in the political process. It does
24 not diminish their ability to elect candidates
25 of their choice.

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1 District 5 follows county lines and
2 major roadways for a substantial portion of
3 its boundaries with a 2 percent following non-
4 political and geographic boundaries. Where it
5 splits Jefferson County District 5 follows I-
6 10 in its entirety and in Columbia County it
7 follows I-75 and State Road 100 except where
8 necessary to equalize population.

9 In Leon County the boundary primarily
10 follows major geographic boundaries such as
11 State Road 261 which is better known as
12 Capitol Circle, U.S. Highway 27 in Apalachee
13 Parkway in Monroe Street and uses part of I-
14 10.

15 In central Florida the southern
16 boundary of Volusia County is used in District
17 6 where it gains -- and gains its formation
18 remaining population from Lake County which
19 already contains a county split and reflects a
20 consistent application of methodology relative
21 to the other areas of the State where counties
22 were kept whole to enable a split to a
23 neighboring county that is already split.
24 This configuration is affected by districts to
25 the south which are drawn to respect county

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1 boundaries as directed by the Committee.

2 District 11 contains all of Citrus and
3 Sumter Counties and parts of Marion and Lake.
4 This allows -- follows the Committee's
5 directives to examine the use of county
6 boundaries where feasible. And its
7 configuration is affected by respecting the
8 county boundaries of Hernando and Sumter.

9 District 8 uses the Brevard, Volusia
10 County line as its northern boundary and gains
11 the remainder of its population in Orange
12 County.

13 District 9 is a Hispanic opportunity
14 district protected from diminishment under
15 Tier 1. Due to an increase in the Hispanic
16 population in the area the district becomes a
17 majority-minority district. A functional
18 analysis confirms that this configuration does
19 not deny or abridge the opportunity for
20 Hispanics to participate in the political
21 process and does not diminish their ability to
22 elect candidates of their choice.

23 District 9 is configured to respect the
24 county boundaries of Osceola, Polk, and
25 Brevard, meeting their gains its remaining

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1 population from Orange County which is already
2 split. This is another example of the
3 consistent application of methodology
4 concerning the placement of county splits.

5 District 12 follow the Committee's
6 directive to examine the use of county
7 boundaries where feasible and keeps all of
8 Hernando and Pasco Counties whole. Polk,
9 Sumter, and Citrus are also kept whole.
10 District 12 gains its remaining population in
11 Pinellas County.

12 District 28 is configured to respect
13 county boundaries to its east, south and west.
14 Includes all of Polk County and given that the
15 population of Polk County is over 700,000
16 people or excuse me only 725,000 people, it
17 extends into Lake County to balance the
18 population.

19 Taking District 28 into Lake County
20 allows counties to the south to be kept whole
21 and is consistent with the Committee's
22 directive to explore concepts that where
23 feasible keep districts entirely within a
24 county in the more densely populated areas and
25 use county boundaries.

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1 District 7 is configuration is affected
2 by the neighboring Districts 9 and 10 which
3 are Tier 1 protected districts. Because
4 Osceola and Polk Counties are kept whole,
5 District 9 goes into Orange County to balance
6 its population.

7 This causes District 7 to gain its
8 remaining population from Volusia County and
9 is consistent with the Committee's directives
10 to use county boundaries where feasible and
11 draw districts which are visually and
12 mathematically compact. It keeps both Osceola
13 and Polk Counties whole.

14 District 10 is also wholly contained
15 within western Orange County. It's an African
16 American opportunity district protected from
17 diminishment under Tier 1 of Article 3,
18 Section 20 of the Florida Constitution.

19 A functional analysis confirms that
20 this configuration in the district does not
21 deny or abridge the opportunity for African
22 Americans to participate in the political
23 process and does not diminish their ability to
24 elect candidates of their choice.

25 The district utilizes Orange County's

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1 western border in addition to easily
2 recognizable and readily ascertainable
3 geographic features using only 2 percent of
4 non-political and geographic boundaries.

5 Looking over at Pinellas, this county
6 has a population of 959,000 people which is
7 more than the ideal population of one
8 district. Therefore, the county must
9 accommodate more than one district to balance
10 population.

11 And District 13 is wholly contained
12 within Pinellas County. There the boundary
13 primarily follows major roadways departing
14 only from these geographic features when
15 necessary to equalize population.

16 This is consistent with the Committee's
17 directives to keep districts wholly within a
18 county in the more densely populated areas and
19 to use easily recognizable and readily
20 ascertainable boundaries while considering the
21 impermanent and changing nature of municipal
22 boundaries and drawing districts which are
23 visually and mathematically compact.

24 District 14 is made up of parts of
25 Hillsborough and Pinellas County. Placing

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1 District 14 in Pinellas while primarily using
2 geographic boundaries allows District 15 to be
3 wholly contained within Hillsborough. It also
4 allows for Pasco County to be kept whole,
5 which results in a more compact configuration
6 of the region, it utilizes political and
7 geographic boundaries as was directed by the
8 Committee.

9 District 15 is wholly contained within
10 Hillsborough County and is consistent with the
11 Committee's directives to keep districts
12 entirely within a county in the more densely
13 populated areas. Its western and southern
14 boundary primarily follows interstates, and
15 major roadways and railroads, departing only
16 from these geographic features when necessary
17 to equalize population.

18 District 16 contains the remainder of
19 Hillsborough County, all of Manatee County,
20 and part of Sarasota. As a high usage of
21 political and geographic boundaries with only
22 5 percent of the boundary falling on non-
23 political and geographic features in order to
24 balance population.

25 District 17 contains all of Charlotte,

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1 Desoto, Hardee, Highlands, Glades, and
2 Okeechobee Counties, and parts of Lee and
3 Sarasota Counties. This is consistent with
4 the Committee's directives to explore concepts
5 that consist of whole counties in less
6 populated areas.

7 It results in districts which are
8 visually and mathematically compact. In both
9 Lee and Sarasota Counties, political and
10 geographic boundaries are highly utilized
11 resulting in a 2 percent non-political and
12 geographic boundary usage score.

13 To the east, District 18 is comprised
14 of all of St. Lucie and Martin Counties and
15 part of Indian River and Palm Beach. Its
16 configuration is affected by District 20,
17 which is a neighboring Tier 1 protected
18 district.

19 District 19 is located within Lee and
20 Collier Counties and is affected by the
21 neighboring District 25 which is a Tier 1
22 protected district.

23 The district uses political and
24 geographic boundaries with only 8 percent
25 falling on non-qualifying boundaries.

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1 District 25 is a majority-minority
2 district protected from diminishment under
3 Tier 1. A functional analysis confirms that
4 the district does not deny or abridge the
5 opportunity for Hispanics to participate in
6 the political process and does not diminish
7 their ability to elect candidates of their
8 choice. Comprised of all of Hendry County and
9 part of Collier and Miami-Dade Counties, its
10 configuration is affected by adjacent Tier 1
11 protected districts.

12 Moving into south Florida. This region
13 contains five Tier 1 protected districts.
14 They are 20, 24, 25, 26, and 27. And this has
15 a significant impact on the configuration of
16 the region. District 20 is a majority-
17 minority district protected from diminishment
18 under Tier 1.

19 A functional analysis confirms that
20 this configuration does not deny or abridge
21 the opportunity for African Americans to
22 participate in the political process and does
23 not diminish their ability to elect candidates
24 of their choice.

25 Districts 21 and 22 are both affected

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1 by the configuration of District 20. 21 is
2 wholly contained within Palm Beach County and
3 is consistent with the Committee's directive
4 to explore concepts that where feasible keep
5 districts wholly within a county in the more
6 densely populated areas.

7 District 22 is contained within Palm
8 Beach and Broward, and the district makes
9 extensive use of political and geographic
10 boundaries in addition to being visually and
11 mathematically compact given its proximity to
12 a Tier 1 protected district.

13 District 23 is also affected by
14 District 20 to the north and District 24 to
15 the south. Both of those are Tier 1 protected
16 districts. Consistent with the Committee's
17 directives the district is wholly contained
18 within Broward County, utilizes political and
19 geographic boundaries where feasible and is
20 visually and mathematically compact.

21 District 24 is an affected African
22 America minority districted protected from
23 diminishment under Tier 1. A functional
24 analysis of this district confirms that this
25 configuration does not deny or abridge the

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1 opportunity for African Americans to
2 participate in the political process and does
3 not diminish their ability to elect candidates
4 of their choice.

5 District 26 and 27 are both majority-
6 minority Hispanic districts that are protected
7 from diminishment under Tier 1. A functional
8 analysis confirms that this configuration does
9 not deny or abridge the opportunity for
10 Hispanics to participate in the political
11 process and do not diminish their ability to
12 elect candidates of their choice.

13 District 26 contains all of Monroe
14 County and part of Miami-Dade County. It
15 makes extensive use of political and
16 geographic boundaries with only 1 percent
17 falling on non-qualifying boundaries.

18 District 27 is wholly contained within
19 Miami-Dade. It makes extensive use of
20 political and geographic boundaries and is
21 both visually and mathematically compact.

22 Overall this plan has a deviation of
23 one person. The average compactness score of
24 the plan is .80 for Convex Hull, .43 for
25 Polsby-Popper, and .46 for Reock. The average

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1 use of non-political and geographic boundaries
2 for the districts in this plan is 8 percent,
3 which means that 92 percent of the district
4 boundaries are falling on features that have
5 been identified by the United States Census
6 Bureau's geographic layers as either city
7 boundaries, county boundaries, interstates,
8 U.S. highways, state roads, contiguous
9 waterbodies larger than ten acres, or
10 railroads.

11 There are 11 districts with less than
12 or equal to 5 percent non-political and
13 geographic boundary usage and 27 districts
14 with less than or equal to 20 percent non-
15 political and geographic boundary usage.
16 There are 48 whole counties, 6 districts
17 wholly contained within a county, 367 cities
18 with all of their boundaries contained within
19 a single district, and 372 cities with all of
20 their population contained in a single
21 district. And that, Mr. Chairman, is the plan
22 before us today.

23 CHAIR RODRIGUES: Thank you. Thank you
24 for walking us through the plan. Members, are
25 there any questions on the amendment? I see

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1 no questions. We are going to hold the
2 appearance cards until we dispose of the
3 amendment and then have the appearance cards
4 appear on the Bill. So we'll move forward.
5 Is there any debate on the amendment? I'm
6 seeing no debate on the amendment. I will
7 waive close on the amendment. All in favor of
8 the amendment, say yea.

9 MULTIPLE VOICES: Yea.

10 CHAIR RODRIGUES: All opposed, say nay.
11 We will show that the amendment has been
12 adopted.

13 Now we are back on the bill as it's
14 been amended. Are there any questions on the
15 bill as it's been amended? Seeing none.
16 We'll moving to public appearance cards, and
17 we do have two. The first one is Steven
18 Monguel. You are recognized.

19 MR. MONGUEL: Good afternoon and thank
20 you for the opportunity to offer this written
21 testimony on the concerns of Latino Justice
22 PRLDEF regarding the current state of the
23 redistricting process and its impact on the
24 Latino population, Latino community.

25 In short, we oppose the proposed maps

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1 because they dilute Latino political power.
2 My name is Steven Monguel, I am Justice
3 Advocate Coordinator with Latino Justice
4 PRLDEF, out of the southeast regional office.
5 Our organization has a long history of
6 participating in Florida's redistricting
7 process and our organization is closely
8 monitoring the work of the Florida legislature
9 to ensure protection of Latino Floridians'
10 rights in the redistricting process under the
11 protections of the Voting Rights Act of 1965
12 and Constitutional norms.

13 Latino Floridians must have an equal
14 opportunity to elect their candidates of
15 choice and remain politically unified in
16 communities of interest. The Florida's
17 legislature's proposed maps ignore dramatic
18 Latino population growth after the last
19 decade. The process has been inaccessible for
20 public comment by limited English proficient
21 Floridians and the many members of the public
22 impacted by the COVID-19 pandemic. The end
23 result has been the dilution of Latino
24 political power.

25 Regarding Latino population growth,

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1 Florida's Latino population growth has
2 increased 34 percent since the 2010 Census.
3 Adding almost one a half million people to the
4 State and now comprising over 26 percent of
5 Florida's total population. This incredible
6 demographic growth has benefitted the entire
7 State.

8 Turning to meeting public
9 participation, language access. Spanish
10 dominant Floridians deserve to have their
11 voices heard in meaningful ways and
12 participate in this redistricting process
13 without English only barriers. The
14 legislature should ensure that public
15 hearings, public hearing notifications,
16 information on the Florida redistricting.gov
17 website, forms to submit public comment and
18 review. Proposed maps are fully accessible to
19 limited English proficient Floridians who have
20 an equal right to participate in defining the
21 political boundaries that we'll endure for the
22 next decade.

23 Existing Google translate options
24 online are inadequate. For example, links to
25 historical redistricting plans and the quote,

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1 resources section and memorandums in the
2 Senate committee sections of the
3 www.florida.gov redistricting websites are
4 only available in English.

5 The legislature should take all
6 reasonable steps to provide translators at
7 public hearings and provide double time for
8 individuals using a translator to provide
9 public comment at hearings.

10 Latino Justice PRLDEF has been
11 monitoring Florida's compliance with Federal
12 and State language acts access guarantees in
13 the area of voting rights for decades. We
14 urge this legislature to make public
15 participation equally accessible to all
16 Floridians.

17 Regarding meaningful public
18 participation, a virtual option. On September
19 8th, 2021, Latino Justice PRLDEF, (inaudible)
20 Education Fund, and Hispanic Federation
21 submitted a request for a virtual public
22 hearings in light of the grave health risks of
23 in-person testimony during COVID-19 pandemic.
24 Our requests went unheeded.

25 Today, two of my colleagues who are

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1 supposed to be here today to testify asks me
2 to fill in because they are in quarantine
3 under CDC guidelines.

4 Turning to Congressional maps. The
5 proposed Congressional maps from both the
6 Senate and House failed to provide a
7 sufficient level of Latino majority districts
8 proportionate to Latino population growth.
9 For example, in the Senate proposed
10 Congressional maps, the Senate across all of
11 its plans creates four Latino majority
12 districts. Majority in total population and
13 majority in Hispanic voting age population.
14 However, these four districts were already
15 majority districts at the end of the decade.

16 For example, District 9 on the Senate
17 proposal is now a slim majority district. CD
18 9, despite massive Latino population growth.

19 While the Senate adds the new
20 Congressional seat in central Florida, all
21 configurations of the district proposed it as
22 a White majority district despite the fact
23 that the population growth has overwhelmingly
24 been driven by Latinos any meaningful
25 influence -- sorry -- seats and instead

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1 bolsters White political power despite their
2 relative stagnant demographics. House
3 proposed Congressional maps. House plan
4 H8003 --

5 CHAIR RODRIGUES: Sir?

6 MR. MONGUEL: -- removes the Latino
7 majority --

8 CHAIR RODRIGUES: Sir?

9 MR. MONGUEL: Yes?

10 CHAIR RODRIGUES: We're not going to
11 discuss the House maps.

12 MR. MONGUEL: Okay. All right. I'll
13 skip to --

14 CHAIR RODRIGUES: The bill you're
15 speaking on is the Senate --

16 MR. MONGUEL: Senate maps.

17 CHAIR RODRIGUES: -- bill for the
18 Congressional map.

19 MR. MONGUEL: Okay. Thank you so much.
20 I'll jump to then regarding Senate maps. Yes?

21 CHAIR RODRIGUES: The Congressional map
22 that is before us.

23 MR. MONGUEL: Okay.

24 CHAIR RODRIGUES: The Senate map
25 will --

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1 MR. MONGUEL: All right. And I already
2 spoke to Congressional map then. Okay so then
3 in conclusion and thank you -- every
4 indication in this process points to
5 redistricting proposals that do nothing more
6 than provide Latino Floridians with the same
7 number of majority districts at the end of the
8 decade under existing ten year old districts.

9 Both Houses of this legislature seek to
10 cap that growth when every demographic
11 indicator shows clearly the Latino population
12 growth requires more, not the same.

13 It is clear to Latino Justice PRLDEF
14 that Section 2 of the Voting Rights Act
15 requires that where Latino majority district
16 can be drawn feasibly, they must be drawn even
17 in spite of the countervailing State mandates.
18 We call on this commission to draw districts
19 that protect communities of interest, provide
20 the growing Latino community an equal
21 opportunity to elect candidates of its choice
22 and ensure that they are conducting the
23 necessary performance analysis to ensure these
24 proposed districts are not diluting the Latino
25 vote and share such work products to the

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1 general public.

2 Thank you very much, and if there are
3 any questions I will gladly take them down,
4 and I will apologize if I won't be able to
5 answer them today but my colleagues, if it's
6 okay, will respond via email. Are there any?

7 CHAIR RODRIGUES: Seeing no questions.
8 Thank you for your comments.

9 MR. MONGUEL: Okay. Thank you very
10 much. Have a good day.

11 CHAIR RODRIGUES: You too. Next up,
12 Cecile Scoon, with the Florida League of Women
13 Voters, President. You are recognized to
14 speak.

15 MS. SCOON: Good afternoon. Thank you
16 for this opportunity. Cecile Scoon, President
17 of League of Women Voters of Florida. The
18 gentleman that was just speaking for Latino
19 Justice, I think gave an example of the
20 problem that the League has been raising when
21 the testing -- the functional analysis, data
22 analysis testing has only been done on the
23 benchmark districts that were determined in
24 2015 through case law because that's what
25 we've been saying.

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1 It doesn't take into account the
2 population growth. It doesn't take into
3 account all these other things. So if you're
4 going to be sure that the Tier 1 guidelines
5 are protected as has been done with regards to
6 the benchmark, you have to look beyond the
7 benchmark.

8 And certainly the indications of
9 population growth would be one indication of
10 where we know that different groups have
11 settled and things of that nature.

12 Review of the Census information would
13 give the Senate and the legislators an
14 opportunity to kind of dig past what was
15 established in 2015, and this issue has been
16 raised by others with regards to the Haitian
17 Creole protection, language protections that
18 their seeking. And again, has been
19 demonstrated as a concern with the Hispanic
20 community and it certainly has been raised as
21 a concern with the African American
22 communities because both the fair districts
23 and the Voting Rights Act require that
24 protection of the minority groups so that if
25 there is an opportunity for them to -- for the

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1 lines to be drawn in a way where those -- the
2 language minorities or the racial minorities
3 have an opportunity to select a representative
4 of their choice, then it is our understanding
5 that's the way the lines should be drawn.

6 And the problem is, is that the
7 analysis to determine that has only been done
8 looking backwards. Taking the benchmark
9 districts that were determined based on 2010
10 Census. The case law from 2015 was looking at
11 2010.

12 And we have not heard or seen, either
13 in the portal or through any of the testimony,
14 the discussion about the process of the
15 Senates effort to look forward and in the
16 present to take into account all the
17 population changes. Thank you.

18 CHAIR RODRIGUES: Thank you for your
19 comments. That concludes public testimony.
20 Now, we're back on the bill as amended. Is
21 there debate? I see no debate. Danna, please
22 call the role on Committee substitute for
23 Senate Bill 102.

24 MS. DANNA: Senator Bean?

25 MR. BEAN: Yes.

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1 MS. DANNA: Senator Bracy?

2 MR. BRACY: Yes.

3 MS. DANNA: Senator Bradley?

4 MS. BRADLEY: Yes.

5 MS. DANNA: Senator Burgess?

6 MR. BURGESS: Yes.

7 MS. DANNA: Senator Gibson?

8 MS. GIBSON: (inaudible).

9 MS. DANNA: Senator Harrell?

10 MS. HARRELL: Yes.

11 MS. DANNA: Senator Rodriguez?

12 MS. RODRIGUEZ: Yes.

13 MS. DANNA: Senator Rouson?

14 MR. ROUSON: (inaudible).

15 MS. DANNA: Senator Stargel?

16 MS. STARGEL: Yes.

17 MS. DANNA: Senator Stewart?

18 MS. STEWART: Yes.

19 MS. DANNA: Vice Chair Broxson?

20 MR. BROXSON: Yes.

21 MS. DANNA: Chair Rodriguez?

22 CHAIR RODRIGUES: Yes. By your vote,

23 we will show the Committee substitute for

24 Senate Bill 102 has been reported favorably.

25 Now, Senators, we're going to move to

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1 tab 2, Senate Joint Resolution 100 on joint
2 resolution of apportionment filed by me.
3 There is -- we do have amendments on this bill
4 so let's take up the first amendment which is
5 barcode 360368. Mr. Ferrin, will you walk us
6 through the map?

7 MR. FERRIN: Yes, Thank you, Mr.
8 Chairman. So the Senate plan that's filed as
9 the amendment barcode 360368 is plan S0846.
10 This plan was drawn pursuant to the directives
11 given to Staff, consistent with the plain
12 language of the Florida Constitution, Federal
13 law, and existing judicial precedent.

14 It balances the coequal criteria
15 outlined in the Tier 2 standards of Article 3,
16 Section 21 of the Florida Constitution except
17 where doing so conflicts with the Tier 1
18 standards.

19 A functional analysis of the minority
20 districts in the plan confirms that it does
21 not diminish the ability of racial and
22 language minorities to elect candidates of
23 their choice. When drawing visually compact
24 districts, county boundaries were used where
25 it was feasible to do so. When a county was

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1 split, static geographic features such as
2 major roads, railroads, and water bodies, were
3 used in a manner that sought to keep cities
4 whole where feasible.

5 In cases where a municipality was
6 split, a static geographic feature was used.
7 When none were available, a municipal boundary
8 may have been used. Like the benchmark plan,
9 this plan has five African American districts
10 and five Hispanic districts.

11 As is the case with the Congressional
12 plan, District 1 was drawn eastward until it
13 reached its ideal population and in the Senate
14 plan that's in Okaloosa County. The
15 configuration of Districts 1 and 2 is fully
16 contained within Escambia, Santa Rosa,
17 Okaloosa, Walton, Holmes, Washington, Bay,
18 Calhoun, and Jackson Counties.

19 Because the total population of these
20 nine counties is roughly 1100 people over the
21 ideal population for two districts, each
22 district must be roughly overpopulated by 550
23 people. This configuration respects the
24 static nature of county boundaries while
25 configuring districts consisting of whole

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1 counties in less populated areas and results
2 in districts which are visually and
3 mathematically compact.

4 The boundary of Districts 1 and 2
5 utilizes State Road 85 for a significant
6 portion of its boundary, which results in the
7 splitting of Crestview and Laurel Hill for a 0
8 percent non-political or geographic boundary
9 usage in both Districts 1 and 2. This is
10 consistent with the Committee's directives to
11 utilize easily recognizable and readily
12 ascertainable features while also considering
13 the impermanent and changing nature on
14 municipal boundaries.

15 District 3 contains all of Gadsden,
16 Liberty, Gulf, Leon, Wakulla, Franklin,
17 Jefferson, Madison, Taylor, Hamilton, Suwanee,
18 Lafayette, and Dixie Counties in their
19 entirety. This is consistent with the
20 Committee's directives to examine the use of
21 county boundaries and where feasible draw
22 districts that consist of whole counties in
23 less populated areas.

24 Districts 4 and 6 are fully contained
25 within Duval and Nassau Counties because the

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1 total population of these two counties is
2 roughly 9000 over the ideal population for two
3 districts. Each district must be roughly
4 overpopulated by 4500 people. This
5 configuration keeps District 6 fully within
6 Duval County since its population is greater
7 than the ideal population for one district.
8 Static political and geographic features were
9 used for the entire boundary for District 6,
10 which is a Tier 2 protected district.

11 This is consistent with the directives
12 to use easily recognizable and readily
13 ascertainable boundaries where feasible to
14 explore concepts that keep districts wholly
15 within a county in more densely populated
16 areas and results in visually and
17 mathematically compact districts.

18 The configuration of Districts 5 and 8
19 is fully contained with Columbia, Baker,
20 Union, Bradford, Clay, Gilchrist, Alachua,
21 Levy, and Marion Counties. Because of the
22 total population of these nine counties is
23 about 1100 people over the ideal population
24 for two districts. Each must be roughly
25 underpopulated by 550 people.

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1 This configuration respects the static
2 nature of county boundaries as is directed by
3 the Committee. It results in visually and
4 mathematically compact districts.

5 For population balancing, District 5
6 includes part of Alachua County and uses
7 easily ascertainable and commonly understood
8 geographic features.

9 District 8 take the remainder of
10 Alachua County and all of Marion and Levy
11 Counties. This results in District 5 and 8
12 having a 0 percent non-political and
13 geographic boundary usage score.

14 In central Florida, District 7 consists
15 of all of St. Johns, Putnam, and Flagler
16 Counties and part of northern Volusia. In
17 Volusia, the boundary utilizes static
18 geographic features throughout the entire
19 county, and this results in a 0 percent non-
20 political and geographic usage for the
21 district.

22 Directly below District 7, District 14
23 takes the remainder of Volusia County and part
24 of Brevard County. To utilize political and
25 geographic boundaries in coastal Brevard

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1 County, the boundary of Districts 14 and 17
2 follow State Road 50 and 405 to the Kennedy
3 Space Center.

4 District 10 consists of all of Citrus,
5 Sumter, and Hernando Counties, and part of
6 Pasco. Within Pasco, District 10 follows
7 State Road 52 and State Road 589, which is the
8 Sun Coast Parkway for the entirety of its
9 border it results in a 0 percent non-political
10 and geographic usage score and visually and
11 mathematically compact districts.

12 Elsewhere in the I-4 corridor,
13 Districts 17 is fully contained within Brevard
14 County, which is consistent with the
15 Committee's directives to keep districts
16 wholly within a county in more densely
17 populated areas and is previously stated that
18 the boundary between Districts 17 and 14 falls
19 entirely on geographic boundaries.

20 Districts 9, 11, 12, 13, and 15, are
21 fully contained with Lake, Seminole, Orange,
22 and Osceola Counties. Because of the total
23 population in these counties is 18,889 under
24 the ideal population for five districts, each
25 district must be roughly under populated by

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1 3780 people.

2 District 15 is a Hispanic opportunity
3 district protected from diminishment under
4 Tier 1. It contains all of Osceola County and
5 part of Orange County. Due to an increase in
6 the area's Hispanic population this district
7 becomes a majority-minority district. A
8 functional analysis of the district confirms
9 that the district does not deny or abridge the
10 opportunity for Hispanics to participate in
11 the political process and does not diminish
12 their ability to elect candidates of their
13 choice.

14 Districts 11 and 13 are fully contained
15 within Orange County which follows the
16 Committee's directive to examine configuration
17 that keep districts wholly within a county in
18 the more densely populated areas. District 13
19 is affected by the configurations of the two
20 neighboring Tier 1 districts in Districts 15
21 and 11 and makes extensive use of county
22 boundaries on its north, east, and southern
23 boundaries.

24 District 11 is an affected minority
25 district protected from diminishment under

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1 Tier 1. A functional analysis confirms that
2 the district does not deny or abridge the
3 opportunity for African Americans to
4 participate in the political process and does
5 not diminish their ability to elect candidates
6 of their choice.

7 District 12 contains all of Lake County
8 and the remainder of Orange County. The
9 district gains its remaining population from
10 Orange, which already includes a split and is
11 consistent in its application of the
12 methodology relative to other areas of the
13 State where counties were kept whole by
14 moving a split to a neighboring county with
15 multiple districts in it.

16 In the Tampa area, Districts 10, 16,
17 and 20 split Pasco County entirely along State
18 Road 52 and the Sun Coast Parkway. District
19 16 is contained within Pasco and Pinellas
20 Counties. It has a 1 percent non-political
21 and geographic boundary score, which is
22 consistent with the Committee's directives to
23 use existing political and geographic
24 boundaries where feasible.

25 District 18 is fully contained within

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1 Hillsborough while substantially utilizing
2 political and geographic boundaries. Its
3 configuration is affected by a neighboring
4 Tier 1 protected district.

5 District 20 is contained within
6 Hillsborough and the remainder of Pasco. It
7 makes substantial use of political and
8 geographic boundaries. It is affected by the
9 shape of the neighboring Tier 1 protected
10 district.

11 District 24 is fully contained within
12 Pinellas County. It's affected by -- its
13 shape is affected by the neighboring Tier 1
14 District 19 which is an affected minority
15 district protected from diminishment under
16 Tier 1. A functional analysis confirms that
17 this district does not deny or abridge the
18 opportunity for African Americans to
19 participate in the political process and does
20 not diminish their ability to elect the
21 candidates of their choice.

22 To ensure this configuration does not
23 result in the denial or abridgement of the
24 equal opportunity to participate in the
25 political process, District 19 includes the

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1 minority populations of St. Petersburg and
2 Tampa as historically drawn since 1992.

3 District 21 contains the remainder of
4 Hillsborough County and part of Manatee
5 County. Within Manatee, the boundary consists
6 entirely of State Road 70 except to balance
7 population near the coast utilizing the
8 Manatee and Sarasota boundary county does
9 result in a splitting of the City of Longboat
10 Key which is split by the two counties.

11 Polk County's population allows one
12 district to be fully contained within the
13 county consistent with the Committee's
14 directives. Polk County's municipalities
15 contain numerous discontinuities and irregular
16 boundaries. Due to this, the boundary of
17 District 22 relies extensively on geographic
18 boundaries primarily utilizing three major
19 roadways and a railroad.

20 This results in a 2 percent usage of
21 non-political or geographic boundaries which
22 is consistent with the Committee's directives
23 to use easily recognizable and readily
24 ascertainable boundaries while also
25 considering the impermanent and changing

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1 nature of municipal lines.

2 Moving to the southern half of Florida.
3 District 26 consists of all of Hardee, Desoto,
4 and Charlotte Counties, and part of Polk and
5 Lee. It's configured to respect county
6 boundaries on its east and west borders and
7 contains three whole counties, Charlotte,
8 Desoto, and Hardee. It has the remainder of
9 Polk and Lee as well.

10 This is consistent with the Committee's
11 directive to explore concepts that, where
12 feasible, result in districts consisting of
13 whole counties in less populated areas.

14 District 27 is drawn in a manner
15 consistent with the Committee's directive to
16 explore concepts that, where feasible, keep
17 districts wholly within a county in the more
18 densely populated areas. In Lee County,
19 District 27 splits the cities of Fort Myers,
20 Estero, and Bonita Springs, by following
21 Interstate 75 for the majority of its eastern
22 border.

23 This is consistent with the Committee's
24 directive to draw compact districts and to
25 consider municipal boundaries in permanent and

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1 changing nature. Results in a 0 percent non-
2 political and geographic boundary usage.

3 District 28 makes high usage of county
4 boundaries and contains all of Collier and
5 Hendry Counties and the remainder of Lee.
6 Within Lee, its boundary falls entirely on
7 geographic features.

8 District 25 uses county boundaries by
9 keeping four counties wholly within the
10 district and taking part of St. Lucie County
11 resulting in the configuration consistent with
12 the Committee's directive to explore concepts
13 that where feasible result in districts
14 consisting of whole counties in less populated
15 areas and utilization of county boundaries.

16 Within St. Lucie, Districts 25 and 29
17 make substantial use of static geographic
18 boundaries. To its south, District 29
19 contains the remainder of St. Lucie, all of
20 Martin County, and part of Palm Beach. Its
21 configuration is impacted by the use of county
22 boundaries to the south.

23 Districts 30 and 31 are contained
24 wholly within Palm Beach County and are
25 consistent with the Committee's directives to

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1 keep districts entirely within a county in the
2 more densely populated areas. This results in
3 districts which are visually and
4 mathematically compact and utilize political
5 and geographic boundaries.

6 District 32's configuration is affected
7 by a neighboring Tier 1 protected district and
8 is wholly located within Broward County. As
9 directed by the Committee the boundary
10 utilizes easily recognizable and readily
11 ascertainable boundaries while also
12 considering the impermanent and changing
13 nature of municipal lines. This results in a
14 non-political and geographic score of 1
15 percent.

16 District 33 is an affected minority
17 district protected from diminishment under
18 Tier 1. A functional analysis confirms that
19 the district does not deny or abridge the
20 opportunity for African Americans to
21 participate in the political process and does
22 not diminish their ability to elect candidates
23 of their choice. Its boundaries rely heavily
24 on political and geographic features with 3
25 percent falling on non-political and

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1 geographic features. This also results in a
2 visually and mathematically compact District
3 33 and surrounding districts.

4 District 34 contains the remaining
5 population of Broward County and (inaudible)
6 Palm Beach County to balance its population.
7 It does this while utilizing political and
8 geographic boundaries and remaining visually
9 and mathematically compact.

10 Turning to Maimi-Dade and Monroe, the
11 population of these counties allows five
12 districts to be fully encapsulated within
13 their borders with the remainder of 92,000
14 people. To stay within the 1 percent
15 population deviation directive, a district
16 from southern Broward County must come into
17 northern Miami-Dade and assign the remaining
18 population to a district.

19 This is District 38, which is also
20 affected by the two surrounding Tier 1
21 districts. It accomplishes this with 100
22 percent utilization of geographic and
23 political boundaries and keeps three districts
24 wholly within Miami-Dade.

25 Within Miami-Dade, Districts 35, 36,

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1 37, 39, and 40, are majority-minority
2 districts that are protected from diminishment
3 under Tier 1 of Article 3, Section 21 of the
4 Florida Constitution. A functional analysis
5 for each district confirms that these
6 districts does not deny or abridge the
7 opportunity for minorities to participate in
8 the political process and do not diminish
9 their ability to elect candidates of their
10 choice.

11 These districts were drawn to also be
12 compliant with the Tier 2 Constitutional
13 criteria and the Committee's directives.
14 They're visually and mathematically compact
15 and utilize easily ascertainable and commonly
16 understood geographic features where feasible.

17 Overall, this plan has a deviation of
18 10,362, which is 1.92 percent. The average
19 compactness scores for this plan are .82
20 Convex Hull, .43 Polsby-Popper, .46 Reock.
21 The average use of non-political or geographic
22 boundaries is 4 percent, which means that on
23 average 96 percent of the district boundaries
24 fall into features identified by the U.S.
25 Census Bureau's geographic layers as city

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1 boundaries, county boundaries, interstates,
2 U.S. highways, state roads, contiguous
3 waterbodies larger than ten acres, or
4 railroads.

5 There are 14 districts with 0 percent
6 non-political or geographic boundary usage and
7 37 with less than or equal to ten percent.
8 There are 51 whole counties, 16 districts
9 wholly contained within a county, 360 cities
10 with all their boundaries contained within a
11 single district, and 368 cities with all of
12 their population contained within a single
13 district. And that, Mr. Chairman, is the
14 Senate map.

15 CHAIR RODRIGUES: Thank you. We do
16 have two amendments to the amendment. We will
17 take those up now. We'll start and we'll take
18 those up in the order that they were filed.
19 So we'll start with amendment to the amendment
20 bar code 212004, by Senator Gibson. Senator
21 Gibson, you're recognized to explain your
22 amendment.

23 MS. GIBSON: Thank you, Mr. Chair.
24 This amendment is specific only to Districts 4
25 and 6. And is -- meets the Constitutional

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1 requirement. The district actually
2 incorporates so that African American
3 communities, I call it the duck, on the other
4 side of the -- I'm sorry -- of the current
5 configuration on this map will include African
6 Americans who are disenfranchised outside of
7 the area that doesn't continue like it does on
8 my amendment, which this looked similar to
9 this the way it is on this 84 -- 8026 prior to
10 just prior to 2012.

11 Also, there's no diminishment in
12 African Americans to elect a candidate of
13 their choice actually, the BVAP increases in,
14 amazingly enough, the lines actually follow
15 pretty much the lines that are drawn in the
16 Congressional district.

17 And also adds African Americans who are
18 disenfranchised -- okay, that's north -- on
19 both the east and west and the northside of
20 the district, actually, based on increase in
21 population and where individuals have moved,
22 which I, even with the numbers that are on the
23 map in consideration right now, it doesn't
24 take into consideration the movement -- and I
25 mentioned this in our last committee --

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1 doesn't take into consideration the population
2 shift. It's supposed to be but it really does
3 not do that.

4 And there's no non -- unconstitutional
5 movement of any lines or population in the
6 difference, in the -- in the -- deviation and
7 the numbers is minimal. And I believe this
8 map is follows the law and then enfranchises
9 more voters without packing the district. And
10 I don't know any other way to put it except
11 it's Constitutional, and it enfranchises
12 voters who are disenfranchised as we sit here
13 today.

14 CHAIR RODRIGUES: Are there any
15 questions of the sponsor? Any questions?

16 MR. BEAN: Question?

17 CHAIR RODRIGUES: President Bean, you
18 are recognized.

19 MR. BEAN: Maybe the word that you're
20 using, I don't understand, but when you -- and
21 thank you for the amendment, Senator Gibson,
22 you used the word disenfranchise. I mean
23 that's a powerful word. That means we've
24 taken away their vote or somebody has taken
25 away their vote so I want you to clarify that

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1 word, disenfranchise, that's a very powerful
2 word and that is a very -- we all, whether in
3 Florida or America, take our vote very
4 seriously. So would you clarify the word,
5 disenfranchise?

6 CHAIR RODRIGUES: And y'all can go back
7 and forth if you need to.

8 MS. GIBSON: Mr. Chair? In terms of
9 the ability for African Americans to elect the
10 candidate of their choice, the map as it
11 currently is leaves several slots of African
12 American voters outside of the district. The
13 BVAP can be increased without any
14 diminishment, and the map remains
15 Constitutional. Thank you, Mr. Chair.

16 MR. BEAN: And just to clarify and
17 maybe we're splitting hairs, but outside the
18 district is one thing but they've always,
19 everybody -- everybody has always had the
20 right to vote regardless of the district
21 they're in. They could still vote, everybody
22 could vote, regardless of my Senate district
23 but you want to put others in a specific
24 district, is that not correct, Senator Gibson?

25 CHAIR RODRIGUES: You're recognized.

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1 MS. GIBSON: Thank you, Mr. Chair.

2 Everyone is in a specific district.

3 CHAIR RODRIGUES: Are there any other
4 questions of the sponsor? I just have one.
5 Do we know what the impact of the metrics
6 would be? You gave us what the increase in
7 the BVAP would be, but how does that impact
8 the remainder of the Tier 1 or the Tier 2
9 metrics, specifically, do you know what the
10 impact would be on Reock, Polsby-Popper, or
11 Convex Hull?

12 MS. GIBSON: Thank you, Mr. Chair. I
13 do have that information here. And as far as
14 I understood, the dimensions are negligible.

15 CHAIR RODRIGUES: Very good. Any other
16 questions?

17 MS. GIBSON: And still Constitutional.

18 CHAIR RODRIGUES: Any other questions?
19 Okay. Seeing no more questions, we have a
20 couple of comment cards but I think they're
21 for the actual bill itself, not for the
22 amendment to the amendments, so we're going to
23 move forward and we're going to move into
24 debate.

25 Is there debate on the amendment?

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1 Chair Burgess, you are recognized.

2 MR. BURGESS: Thank you, Mr. Chair.

3 And thank you, Senator Gibson. I am glad you
4 brought this forward. I know we had some
5 discussion on this in our subcommittee and
6 appreciate the opportunity to talk about this
7 further.

8 You know, I certainly don't think there
9 is any bad faith in the measurements that
10 you're bringing forward, but in every
11 iteration that worked on in the twelve, and I
12 think the reason we ended up with 8046 and the
13 other ways that District 6 ended up being
14 configured in the finality of the last four
15 maps was we always moved towards better metric
16 improvement, each and every time.

17 There was staff drawn maps had always
18 sought to improve upon those metrics and build
19 upon them, and understanding what you are
20 saying, District 6 under the 8046
21 configuration before us is -- is -- is
22 biometrics and by those standards that Chair
23 Rodrigues just brought up, a more compact,
24 better use of political and geographic
25 boundaries and in fact I think it registers at

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1 100 percent use, which shows that we truly
2 adhered to the directives from the Committee
3 that we're on now.

4 Most importantly, though, in my mind of
5 course, is that there's no diminishment and it
6 performs exactly the same. And so
7 understanding that it adheres to those
8 requirements under Tier 1 and Tier 2, I feel
9 that it's important that we ensure that we
10 have adhered to all directives to the best of
11 our ability, and that's why the map that we
12 put forward in 8046 since it better complies
13 should be the one that we continue to push.

14 CHAIR RODRIGUES: Any other debate or
15 discussion? President Bean, you are
16 recognized.

17 MR. BEAN: Thank you. And I'm too --
18 if I may go to Senator Burgess. Senator
19 Burgess, is it your recommendation that this
20 is a friendly amendment or unfriendly
21 amendment, or your opinion on the directives
22 of the Constitution and how it all -- I was
23 just unclear of your end result?

24 CHAIR RODRIGUES: And thank you for the
25 question. What I would say is, I've conferred

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1 with Staff. I believe either option of that
2 district for Tier 1 purposes complies. So we
3 have full compliance on Tier 1 with either
4 option.

5 What we've done to the point that Chair
6 Burgess has made as we've moved through the
7 process, is once we've satisfied Tier 1
8 criteria, and made sure that there was no
9 retrogression or diminishment, the goal has
10 been to improve upon the Tier 2 metrics as we
11 move forward.

12 And I've looked at the metrics that
13 Senator Burgess has referenced, and I don't
14 believe this improves the Tier 2 metrics. So
15 I would say as an amendment to the amendment,
16 it would be an unfriendly amendment because
17 while I consider the Senator very friendly,
18 we've been very consistent in that every
19 iteration of the map has been an improvement
20 on once we satisfied Tier 1, only Tier 2
21 metrics as we've moved forward, and this would
22 be a step in the direction that we've not gone
23 in.

24 Is there any other debate? I see none.
25 Senator Gibson, you're recognized to close on

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1 your amendment to the amendment.

2 MS. GIBSON: Thank you, Mr. Chair.

3 This amendment forms with the Constitutional
4 requirements. The deviation and the changes
5 in the -- that you mentioned are negligible
6 and it allows African Americans on the north,
7 east, and west sides to be in a district where
8 they can help elect the candidate of their
9 choice.

10 It even fits exactly inside of the
11 Congressional district lines, as well, rather
12 than the split that is on -- what map is
13 this -- 8046 where the district is just like
14 an island and certainly way more tight, if you
15 will, than the surrounding district that is
16 District 4 today.

17 And so the other thing I was speaking
18 about the other day in terms of square miles
19 and how most of the African American districts
20 are majority districts or those that give them
21 the ability to elect the candidate of their
22 choice, have not expanded in terms of the
23 square miles since the previous map was drawn,
24 and that's just it's impossible for that to be
25 true.

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1 So most of those are like, I don't
2 know, 248 square miles or something, and when
3 their surrounded by square miles that is much
4 larger, even in the case of District 4 and 6,
5 and it's impossible, as was mentioned earlier,
6 when you look at the Census data that those
7 areas in the minority community don't expand,
8 but the others do. And so with that, I ask
9 for your favorable support. Thank you.

10 CHAIR RODRIGUES: Having closed on the
11 amendment, all those who are in favor of the
12 amendment say, yea.

13 MULTIPLE VOICES: Yea.

14 CHAIR RODRIGUES: All those opposed
15 say, nay.

16 MULTIPLE VOICES: Nay.

17 CHAIR RODRIGUES: We will show that the
18 amendment has failed and will not be adopted.
19 At this point, I'm going to pass the gavel
20 over to Vice Chair Broxson.

21 MR. BROXSON: Thank you, Mr. Chairman.
22 Pick up amendment to the amendment bar code
23 444992 by Senator Rodrigues. Senator
24 Rodrigues, you are recognized to explain your
25 amendment to the amendment.

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1 CHAIR RODRIGUES: Thank you, Chair.

2 From the outside -- from the outset of this
3 process our goal has been to follow the
4 example that the House set during the last
5 redistricting process that was specifically
6 blessed by the Court when we went through the
7 litigation and to avoid the mistakes that the
8 Senate made as the Senate went through
9 redistricting in the last cycle, so that those
10 are not repeated. And I think if you look at
11 the process we followed, we've been true to
12 that.

13 We formed subcommittees, were
14 legislative and Congressional, much like the
15 House did during the last cycle. There were
16 maps that were considered that were publicly
17 workshopped, like the House did during the
18 last cycle, which the Senate did not. There
19 were different iterations of the map at each
20 of the meetings and each iteration of the map
21 was an improvement of the previous iteration
22 on the metrics that are presented which was
23 different than what the Senate did last time.

24 And if you look at the House process,
25 the final step in that process was when the

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1 subcommittee sent their map to the full
2 committee for consideration. The full
3 committee then looked at the map and said,
4 where is there an opportunity for improvement.

5 So much like the House did a decade
6 ago, the foundation of our map is with keeping
7 counties whole because those are stable
8 boundaries and counties are contiguous. We've
9 also used the geographic boundaries that the
10 House used, that the Court blessed in the last
11 cycle.

12 And then we've used municipal
13 boundaries where we did not have county
14 boundaries or geographic boundaries. I looked
15 at the cities that were split and worked with
16 Staff to come up with an objective criteria,
17 and what I'm putting forth is an amendment
18 that would take the cities that were split
19 with less than a thousand people, the split is
20 between two districts, the boundary of the
21 municipality is contiguous and it does not
22 impact a Tier 1 district. And I'm proposing
23 that we make those municipalities whole.

24 The municipalities that would be made
25 whole are Laurel Hill, which is split between

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1 Districts 1 and 2, Holly Hill, which is split
2 between Districts 7 and 14, Titusville, which
3 is split between Districts 14 and 17, Winter
4 Haven, which is split between Districts 22 and
5 26, and Pembroke Pines, which is split between
6 Districts 32 and 38.

7 If we were to adopt this map, then we
8 would have the result of a map that would
9 yield only 22 cities in which the entire
10 population is not contained in one district
11 outside of our Tier 1 requirements.

12 And when you consider that we have 412
13 municipalities in the State of Florida, that
14 would mean more than 95 percent of our cities,
15 either their population is wholly contained,
16 or if there is a split it is for Tier 1
17 purpose.

18 Looking at the metrics across the
19 board, it does not diminish any of our Tier 1
20 requirements because we have excluded the Tier
21 1 cities as we've done this, and if you look
22 at our Tier 2 requirements, the metrics are
23 either improved or remain the same across the
24 board. And with that, I'd ask for your
25 favorable support.

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1 MR. BROXSON: Members, are there any
2 questions to the amendment to the amendment?

3 MR. BRACY: Yes.

4 MR. BROXSON: Yup.

5 MR. BRACY: Thank you, Chairman --

6 MR. BROXSON: Mr. Bracy.

7 MR. BRACY: Thank you. Is there a
8 visual that you can give us to see what this
9 looks like?

10 CHAIR RODRIGUES: Yes, we do have the
11 visuals prepared and their on the back row
12 there. Each of the cities are there on that.

13 MR. BRACY: Okay.

14 CHAIR RODRIGUES: Because the split in
15 population was a thousand or less --

16 MR. BRACY: Yeah.

17 CHAIR RODRIGUES: -- there's not a
18 significant movement, and the boundaries of
19 the municipalities were contiguous. But
20 there's a blow up of each of the insets so
21 that you can see.

22 MR. BRACY: If you would just give me a
23 second, I want to look at each of these
24 cities.

25 MR. BROXSON: Senator Bracy, do you

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1 mind if we come back to you and let me go to
2 Senator Stewart --

3 MR. BRACY: It's all right.

4 MR. BROXSON: -- with a question.

5 MR. BRACY: Sure.

6 MR. BROXSON: Senator Stewart, you're
7 recognized.

8 MS. STEWART: Yes, thank you. So what
9 I understand we are looking at are two maps,
10 46 and 56, we haven't picked one yet? Or we
11 did? We did not. Okay. So your suggested
12 amendment would apply to either one of these
13 maps?

14 MR. BROXSON: You're recognized.

15 CHAIR RODRIGUES: Thank you, Chair.
16 Yes, because it's split on both of those maps,
17 and these districts are the same. It would be
18 equally applicable to either map.

19 MS. STEWART: Okay. Thank you. Just
20 trying to keep up.

21 MR. BROXSON: Before we go back to
22 Senator Bracy, is there anyone else that has a
23 question? Senator Bracy, are you ready to
24 continue with your line of questions?

25 MR. BRACY: I have no more questions.

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1 I looked at the maps. I'm satisfied with what
2 I've seen.

3 MR. BROXSON: Okay. I do not see any
4 appearance forms. Is there anyone in the
5 audience that wishes to speak? Okay. Is
6 there any debate on the amendment to the
7 amendment?

8 Senator Burgess, you're recognized.

9 MR. BURGESS: Thank you. And I just
10 want to thank Chair Rodrigues for bringing
11 this forward for discussion. You know, I
12 think falling in line with my previous
13 comments, and the Chair already noted this, so
14 I think it's just important to highlight
15 consistency where we can.

16 You know, what we're seeing here, as
17 Chair Rodrigues noted, was metric improvement
18 as opposed to even minimal regression on those
19 metrics in Tier 2, so for those reasons this
20 amendment I think takes what we've built upon
21 and continue to improve those metrics like we
22 strive to do in every one of our three
23 meetings and all twelve of those iterations.

24 So I would see no reason why since
25 there is metric improvement that we shouldn't

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1 put this on our map.

2 MR. BROXSON: Want to make sure
3 everyone is good before we move forward?
4 Senator Rodrigues, closing? Senator
5 Rodrigues, you are recognized to close on the
6 amendment to the amendment.

7 CHAIR RODRIGUES: Thank you, Chair. In
8 the House process they were able at the full
9 committee level to clean up 11 city splits,
10 with us we'll cleanup 5 but I would point out
11 we had fewer city splits then they did which
12 is an actual result of having larger districts
13 then they had.

14 But where we have an opportunity to
15 honor the political boundaries, I think
16 reading the opinion of the Court in
17 apportionment 1 we should, this I consider low
18 hanging fruit, and we do improve our metrics
19 but doing that. So I'd ask everyone to
20 support the amendment to the amendment.

21 MR. BROXSON: All those in favor of the
22 amendment to the amendment say, yea.

23 MULTIPLE VOICES: Yea.

24 MR. BROXSON: Opposed, nay. The
25 amendment to the amendment is adopted. Back

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1 on the main amendment as amended. Are there
2 any questions on the amendment?

3 MR. BRACY: Yes.

4 MR. BROXSON: One question, Senator
5 Bracy?

6 MR. BRACY: Yes, Senator Rodrigues, can
7 you explain for the Committee, your decision
8 making on the South Florida district where we
9 talked about the effective majority versus the
10 minority-majority district and how you came to
11 choose the map with the effective minority
12 district?

13 CHAIR RODRIGUES: Yes, Senator Bracy,
14 and thank you for the question. I sat down
15 with Staff and Counsel and we walked through
16 both of the maps. One of the maps, which is
17 the one I put forth, is an affected minority
18 district and the other would have been a
19 minority-majority district.

20 If you look at the functional analysis
21 which was performed on both of them, it is
22 clear that in both maps that is a seat that
23 will be controlled by Democrats. If you look
24 at both maps, the primary in both seats will
25 be controlled by the African American

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1 population.

2 And so we went with the configuration
3 that was effective minority because it
4 provided us full compliance with Tier 1, they
5 were both equally Tier 1 compliant, but
6 provided better metrics on the Tier 2, if you
7 looked at the compactness scores, Convex Hull,
8 Reock, and Polsby-Popper. And so from that
9 standpoint, we felt being consistent by
10 satisfying Tier 1 and making the improvements
11 on Tier 2 that would be the map to go with.

12 One of the things I learned as I went
13 through the process was in the last
14 redistricting cycle, and this is analogous,
15 it's not a complete apples to apples because
16 it was on the Congressional map.

17 There was a district where the Senate
18 moved to have a minority-majority district,
19 which was then Representative Greenbaum's U.S.
20 Congressional seat, and we had put it just
21 over 50 percent, which is where the minority-
22 majority option on the map here would have
23 been because we took the position that since
24 we could maximize that, we should. And it was
25 litigated.

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1 During that litigation, NAACP joined
2 the State Senate in defending that iteration
3 of the map we did. And ultimately we lost
4 that lawsuit and the Court said, an effective
5 minority district was appropriate because it
6 satisfied the Tier 1 components and it could
7 have been done in a more compact manner.

8 And that case instead of running north
9 to south, they directed the legislature to run
10 east to west to do that, so that's why it's
11 not a pure apples to apples comparison, but
12 the principle is the same. We had to decide
13 whether to go with an effective minority or
14 with a minority-majority.

15 Both of them equally comply on Tier 1
16 metrics, and in both cases the functional
17 analysis showed that it will undoubtedly
18 perform for the minority candidate. And so I
19 went with the metric they gave -- the map that
20 gave us the better overall metrics.

21 MR. BROXSON: Follow up? Any
22 additional questions?

23 MR. BRACY: No. Thank you.

24 MR. BROXSON: I see no appearance
25 forms. Is there anyone in the audience that

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1 wishes to speak? Is there any debate on the
2 amendment as amended?

3 CHAIR RODRIGUES: Mr. Chair, I would
4 move to temporarily postpone the amendment at
5 this point so that we could move into the
6 district numbering process.

7 MR. BROXSON: Without objection, show
8 the amendment temporarily postponed. I return
9 the gavel back to the Chair.

10 CHAIR RODRIGUES: Thank you, Chair
11 Broxson. Let's move to tab 4, Members, which
12 is consideration of district numbering for
13 Senate joint resolution 100 as necessary to
14 maintain the staggered election terms.
15 President Pro Tem Bean, can you please join us
16 up here? I would like you to be the master of
17 ceremonies as we go through this process.

18 MR. BEAN: Mr. Chairman, would you like
19 me to stay here or I can go to the big dais.
20 What would be better?

21 CHAIR RODRIGUES: Wherever you're more
22 comfortable.

23 MR. BEAN: Very good. Good afternoon,
24 committee members, and good afternoon, Florida
25 Senate. In a just a few minutes, we're going

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1 to be drawing envelopes out of this jar.

2 And just so everybody knows, I
3 discussed the process with Chairman Rodrigues,
4 who insisted, which I wholeheartedly agree
5 with, to have a process that's open, fair, and
6 transparent. And to do this in a committee
7 setting, I think, is wonderful because not
8 only all of our eyes are upon the drawing of
9 these cards, all of Florida's eyes, because
10 with the Florida Channel, this will be
11 replayed over and over again to see the exact
12 process.

13 And so hats off to you, Mr. Chairman,
14 in allowing me to participate and of course, I
15 love making it as exciting as I possibly can,
16 and I don't know if we can -- how exciting we
17 can make it, but certainly, we will add as
18 much as pizzazz as we possibly can.

19 I know we talked about -- we talked
20 about the ping-pong balls, but staff suggested
21 this was a more logistically easier process,
22 still maintaining the randomness of a coin
23 flip, of an odd-and-even flip.

24 So before I begin, and I don't care how
25 hard a question you want to ask, Chairman

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1 Rodrigues would welcome that question right
2 now. Is there any other questions before we
3 begin?

4 CHAIR RODRIGUES: Senator (inaudible),
5 I couldn't hear it.

6 MR. BEAN: Very good. And members,
7 I'll remind everyone, this random jar of 40
8 cards that has been placed in random envelopes
9 was certified by our secretary of the Florida
10 Senate, Debbie Brown, who signed over that she
11 has maintained control and that she attests to
12 the integrity of it.

13 So with that, let's deal some cards,
14 Florida Senate. Are we ready to go?

15 FEMALE VOICE: (Inaudible).

16 MR. BEAN: Okay. Thank you.
17 Everything is on top of the board right now.

18 MALE VOICE: We don't want any dealing
19 from the bottom of deck here.

20 MR. BEAN: Yeah, exactly. I will just
21 do it right now. So let's be clear, let's be
22 clear, once again, Mr. Chairman, I'm going to
23 reach in, and I'm going to draw a random card,
24 and this card, the very first card, will be
25 for the District that we now know as District

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1 1.

2 CHAIR RODRIGUES: That is correct.

3 MR. BEAN: Very good. Without
4 objection, Senators, here we go. I'm opening
5 the jar. It's got that fresh card, random
6 cardness (phonetic), and look at me, I'm going
7 further by just ruffling throughout it. And I
8 have a card. Here's our first one.

9 Mr. Chairman, I'm opening it up now.
10 Florida and Florida Senate holds its breath
11 for District 1, and we have, an odd number for
12 District Number 1. Odd it is.

13 CHAIR RODRIGUES: I will write the
14 number as it is drawn and put it back in the
15 envelope.

16 MR. BEAN: Okay. Very good.

17 CHAIR RODRIGUES: And staff is logging
18 it, so we're going to have everything.

19 MR. BEAN: And let's put them in order.
20 We're going to have 40 of them. They'll be
21 labeled. Once again, if you're just tuning in
22 on the Florida Channel, we're drawing Senate
23 district numbers for a proposed map, and we
24 have a random set of cards.

25 This is Item Number 2, formally known

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1 as the district -- or currently known as
2 District 2. Let's open it up and let's see
3 what District 2 is. It is -- yeah, they are
4 sealed.

5 CHAIR RODRIGUES: Sealed up it.

6 MR. BEAN: It is an even number. Even
7 for Number 2. Congratulations, Number 2, even
8 number.

9 Number 3, here we go, I'm just rifling
10 through and we are going to go -- in just a
11 moment, we're going to start going faster.
12 How about this? Here we go. Number 3 is odd.
13 Odd for Number 3.

14 CHAIR RODRIGUES: What are the odds?

15 MR. BEAN: I am mixing them up as we
16 go. Number 4, and there's super glue on these
17 things are sealed, so it takes me a while to
18 open up. Number 4, Number 4 is even. 4 is
19 even.

20 If you are asking what are the chances,
21 I know what they are, they're 50/50. That's
22 the chances. 50/50. This is Item -- or
23 Number 5, the fifth one drawn. The fifth,
24 even, even for Number 5. Even for Number 5.

25 Here's go Number 6. Number 6, Number 6

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1 is being opened up. Number 6 is odd. Number
2 6 is odd.
3 Number 7, Number 7, odd. Number 7 is
4 odd.
5 Number 8, Number 8 is odd. Number 8 is
6 odd.
7 Number 9 is even. Number 9.
8 Number 10 is odd. We are 25 percent of
9 the way done. Number 10 is odd.
10 The 11th card drawn for the 11th
11 currently district is odd, is odd. Number 11.
12 Number 12, Number 12 is off.
13 Lucky Number 13. 13 is odd. Number 13
14 is odd.
15 I'm still shuffling up. This is Number
16 14. Number 14 is even. Even for Number 14.
17 Number 15, Number 15 is odd. Odd for
18 Number 15.
19 We're drawing 16. District 16 is odd.
20 16 is odd.
21 Number 17, odd. Number 17, odd.
22 Number 18, 18 is even. 18 is even.
23 Number 19, Number 19 is even. Number
24 19 is even.
25 Look at me go, shuffling them up. Here

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1 we go. Still a 50/50 shot. This is currently
2 our 20th card drawn. The 20th card drawn is
3 odd. Odd. And we are halfway, halfway.

4 The 21st card drawn is even. Even for
5 the 21st card drawn.

6 Number 22, Number 22, Number 22 is
7 even. Number 22 is even.

8 Here's the 23rd card drawn. It is
9 even. It's even.

10 The 24th card drawn is even.

11 Card Number 25, card Number 25 is odd.
12 It's an odd number.

13 The 26th card drawn is odd. It's an
14 odd number.

15 The 27th card drawn, it's an odd
16 number.

17 The 28th, 28th is even. The 28th is an
18 even. Look at me still shuffling up, getting
19 a random sampling. This is the 29th card
20 being drawn, and the 29th is an odd district.
21 Odd for Number 29.

22 Number 30, Number 30, 30 is even. 30
23 is even. 30 was ripped, but it still says
24 even.

25 We have ten left, Senators, ten left,

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1 and we go. And I know you're saying anytime
2 now, Bean, you can go fast. Anytime you want
3 is what you're saying. This is the 31st
4 district. It's even. Even.

5 The 32nd card being drawn, it is odd.
6 Odd.

7 33, 33, district Number -- currently,
8 the 33rd District, even. Even.

9 Card Number 34 is even.

10 The 35th card being drawn, it's even.

11 36, odd. 36 is odd.

12 There are four left. This is the 37th.
13 The 37th is even. Even.

14 38, three left. The 38th card being
15 drawn, it is odd. It also has been ripped,
16 but it clearly says odd district.

17 Two left, two left. 39, District
18 Number 39, current district, will be labeled
19 even. 39 will be even.

20 And your final district, if you've been
21 playing along at home or here, you already
22 know what's left. There are 20 odds, 20 even,
23 I don't know. I've lost track, but let's be
24 clear. It's even for your final card being
25 drawn. Thank you for playing Florida Senate.

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1 You now know our future map numbers. Thank
2 you, Mr. Chairman.

3 CHAIR RODRIGUES: Thank you, President.
4 Okay. At this point, we're going to stand in
5 informal recess while the staff goes back and
6 numbers with this odd/even random drawing so
7 that the map that we do take our vote on will
8 be the final geographic boundaries, having
9 been renumbered randomly. We stand in
10 informal recess. Plan to be back here,
11 please, no later than 4:00.

12 (Recess)

13 CHAIR RODRIGUES: The Senate committee
14 on reapportionment will come out of informal
15 recess and come back to order. Senators,
16 staff has prepared a late-filed substitute
17 amendment to overlay the new district numbers
18 on the map that we were considering, that is
19 Senate Map S027 S8058, and I'm told is posted
20 online already.

21 So I would say at this point, let's
22 take a late-filed substitute amendment, which
23 is bar code 357120 by Senator Rodrigues, me.
24 Are there any questions on the substitute
25 amendment? Seeing no questions, we do not

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1 appearance forms on the substitute amendment.
2 The appearance forms we have we will come to
3 when we get to the substance of the main bill.

4 Is there debate on the substitute
5 amendment? Seeing no debate, in closing I
6 will say I want to thank the work of the
7 subcommittee, both of the subcommittees, our
8 Congressional and our Senate subcommittees,
9 worked very hard in putting their maps
10 together, and I think both of them sent up
11 good options.

12 This map, which has been overlayed with
13 the numbers that were randomly drawn, I think
14 is a very strong product, and I want to thank
15 President Bean for handling the random drawing
16 and taking what could have been a very dry
17 process and making it a little bit more
18 exciting. And with that, I would ask for
19 favorable support of this substitute
20 amendment.

21 All in favor of the substitute
22 amendment, say yea.

23 MULTIPLE VOICES: Yea.

24 CHAIR RODRIGUES: All opposed say nay.

25 MS. GIBSON: Let me get in proper

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1 posture for myself. I'm sorry, Mr. Chair, I
2 misunderstood where we are right now.

3 CHAIR RODRIGUES: We're voting on
4 whether to adopt late-filed substitute
5 amendment, which is bar code 357120. It is
6 the map that ends in 8058, which is the
7 geographic configuration that we went through
8 earlier, which has now been overlayed with the
9 numbering that we did with the random drawing.

10 MS. GIBSON: And then, we're going --

11 CHAIR RODRIGUES: Then, we'll go back
12 to the bills and --

13 MS. GIBSON: Okay. Thank you.

14 CHAIR RODRIGUES: Yes. So I'll call
15 the vote again, just to make sure we're clear.
16 All in favor of the substitute amendment say
17 yeh.

18 MULTIPLE VOICES: Yea.

19 CHAIR RODRIGUES: All opposed say nay.
20 The substitute amendment is adopted. So now,
21 we are back on the bill as it's been amended.
22 Are there questions on the bill as it's been
23 amended?

24 Seeing none, we'll move to the
25 appearance cards, and we have two. First,

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1 we'll do Cecile Scoon, who is the president of
2 the Florida League of Women Voters. You are
3 recognized.

4 MS. SCOON: Thank you. Good afternoon.
5 Cecile Scoon with the League of Women Voters
6 of Florida.

7 Every time I come, I learn something
8 more and something new, and that's much
9 appreciated in the conversation and the
10 questioning and answering that the Senate has
11 put a lot of effort and your staff into
12 bringing as much information to the public as
13 possible. And it's been helpful to the
14 League.

15 We really appreciate the work that you
16 have done, and we can see that there have been
17 efforts to comply with the law. We absolutely
18 see that.

19 But we're in the position where we
20 believe that more should be done. And we
21 believe that the law requires, and it's good
22 common sense to -- when there's been so many
23 changes with the population to do those
24 additional functional analysis over more of
25 the districts than just the ones that were

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1 selected based on 2015.

2 We just feel that that's -- it makes
3 sense, and that's something we're asking the
4 Senate to do going forward and -- just to be
5 sure that all the Tier 1 priority is, in fact,
6 enforced because there's so much focus on the
7 Tier 2. And we'll just leave it at that.
8 Thank you very much.

9 CHAIR RODRIGUES: Thank you for your
10 comments. Next up, we have Stephen Monguel.
11 You're recognized.

12 MR. MONGUEL: Thank you, once again,
13 Honorable Chair, representatives, for the
14 opportunity to offer this testimony on the
15 concerns of the -- of Latino Justice PRLDEF
16 regarding the current state of the
17 redistricting process and its impact on the
18 Latino community.

19 In short, we oppose the proposed maps
20 because they dilute Latino political power.
21 My name is Steven Monguel, justice advocate
22 coordinator, at Latino Justice PRLDEF
23 southeast regional office. Our organization
24 has a long history of participating in
25 Florida's redistricting process, and our

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1 organization is closely monitoring the work of
2 Florida legislators to ensure protection of
3 Latino Floridians rights in the redistricting
4 process under the protections of the Voting
5 Rights Act of 1965 and constitutional norms.

6 Latino Floridians must have an equal
7 opportunity to elect their candidates of
8 choice and remain politically unified in
9 communities of interest. The Florida
10 legislature's proposed maps ignore dramatic
11 Latino population growth after the last
12 decade.

13 The process has been inaccessible for
14 public comment by limited English-proficient
15 Floridians and the many members of the public
16 impacted by COVID-19 pandemic. The end result
17 has been the dilution of Latino political
18 power, Latino population growth.

19 Florida's population has increased 34
20 percent since the 2010 census, adding almost
21 one and a half million people to the state and
22 now comprising over 26 percent of Florida's
23 total population. This incredible demographic
24 growth has benefitted the entire state.

25 Meaningful public participation,

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1 language access. Spanish-dominant Floridians
2 deserve their voice heard in meaningful ways
3 and participate in the redistricting process
4 without English-only barriers.

5 This legislature should ensure that
6 public hearing notifications, information on
7 the FloridaRedistricting.gov website, forms to
8 submit public comment, and review proposed
9 maps are fully accessible to limited English-
10 proficient Floridians who have an equal right
11 to participate in defining the politics
12 boundaries that will endure for the next
13 decade.

14 Existing Google Translate options
15 online are inadequate. For example, links to
16 historical redistricting plans in the
17 resources section and memorandums in the
18 senate committee section of the
19 FloridaRedistricting.gov websites are only
20 available in English.

21 The legislature should take all
22 reasonable steps to provide translators at
23 public hearings and provide double time for
24 individuals using a translator to provide
25 public comment at hearings.

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1 Latino Justice PRLDEF has been
2 monitoring Florida's compliance with Federal
3 and State language access guarantees in the
4 area of voting rights for decades. We urge
5 this legislature to make public participation
6 equally accessible to all Floridians.

7 Moving to meaningful public
8 participation, the virtual option, on
9 September 8th, 2021, Latin Justice PRLDEF,
10 NALEO Educational Fund, and Hispanic
11 Federation submitted a request for virtual
12 public hearings in light of the grave health
13 risks of in-person testimony during COVID-19
14 pandemic.

15 Our request went unheeded, and today,
16 two of my colleagues who were scheduled to
17 testify today asked me to fill in because they
18 are both in quarantine under the CDC
19 guidelines.

20 House maps, the proposed Florida House
21 maps fail to provide a sufficient level of --

22 CHAIR RODRIGUES: Sir?

23 MR. MANGUAL: -- Latino-majority
24 districts.

25 CHAIR RODRIGUES: We're not --

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1 MR. MANGUAL: We're on the House maps,
2 right?

3 CHAIR RODRIGUES: We're not going to
4 discuss House maps in a Senate committee.

5 MR. MANGUAL: Okay. Apologies.

6 CHAIR RODRIGUES: We're talking about
7 the Senate maps.

8 MR. MANGUAL: Senate maps, all right.
9 So again, apologies, and thank you, Chair. So
10 turning to the Senate maps, the proposed
11 Florida maps similarly fail to provide a
12 sufficient level of Latino-majority districts
13 proportionate to the Latino population growth.

14 For example, the Senate plans add no
15 additional plurality or majority Latino
16 districts despite massive growth in the Latino
17 population, exacerbating the inequality of the
18 status quo.

19 In conclusion, every indication in this
20 process points to redistricting proposals that
21 do nothing more than provide Latino Floridians
22 with the same number of majority districts
23 they enjoyed at the end of the decade under
24 existing ten-year-old districts.

25 Both houses of this legislature seek to

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1 cap the growth when every demographic
2 indicator shows clearly that Latino population
3 growth requires more, not the same. It's
4 clear to Latino Justice PRLDEF that Section 2
5 of the Voting Rights Act requires that where
6 Latino majority districts can be drawn
7 feasibly, they must be drawn, even in spite of
8 countervailing state mandates.

9 We call on this commission to draw
10 districts that protect communities of
11 interest, provide the growing Latino community
12 an equal opportunity to elect candidates of
13 its choice, and ensure that they are
14 conducting the necessary performance analysis
15 to ensure these proposed districts are not
16 diluting the Latino vote and share such work
17 products to the general public. Thank you.

18 CHAIR RODRIGUES: Thank you for your
19 comments. That concludes our public
20 appearance. At this point, we'll move into
21 debate. Is there debate on the bill as it's
22 been amended? Seeing no debate, I will move
23 into closing and just say, it's been a long
24 process. We started this back in September,
25 and I'm glad we've arrived at the final map

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1 here that we are considering.

2 I think this is a strong map. It's
3 clearly compliant with Tier 1 requirements. I
4 believe it is an improvement on Tier 2
5 requirements over the base map that we
6 inherited. And with that, I'd ask for your
7 favorable support.

8 Danna, please call the role on
9 Committee Substitute for Senate Joint
10 Resolution 100.

11 FEMALE VOICE: Senator Bean?

12 MR. BEAN: Yes.

13 FEMALE VOICE: Senator Bracy?

14 MR. BRACY: Yes.

15 FEMALE VOICE: Senator Bradley?

16 MS. BRADY: Yes.

17 FEMALE VOICE: Senator Burgess?

18 MR. BURGESS: Yes.

19 FEMALE VOICE: Senator Gibson?

20 MS. GIBSON: No.

21 FEMALE VOICE: Senator Harrell?

22 MS. HARRELL: Yes.

23 FEMALE VOICE: Senator Rodriguez?

24 MS. RODRIGUEZ: (Inaudible).

25 FEMALE VOICE: Senator Rouson?

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1 MR. ROUSON: Yes.

2 FEMALE VOICE: Senator Stargel?

3 MS. STARGEL: Yes.

4 FEMALE VOICE: Senator Stewart?

5 MS. STEWART: Yes.

6 FEMALE VOICE: Vice Chair Broxson?

7 MR. BROXSON: Yes.

8 FEMALE VOICE: And Chair Rodrigues?

9 CHAIR RODRIGUES: Yes. And by your
10 vote, we'll show Committee Substitute for
11 Senate Joint Resolution 100 is reported
12 favorably. Let me begin by asking, in
13 closing, does any senator wish to be recorded
14 as voting on bills that were before the
15 committee today?

16 Senator Rouson, you're recognized.

17 MR. ROUSON: Thank you very much, Mr.
18 Chairman. And I had a little stomach burn as
19 I voted in the affirmative for Map 8040. I
20 would respectfully like to change that vote to
21 a nay. My rationale is that I've never filed
22 an amendment that I didn't like, and the
23 amendment was not taken, I think the map
24 splits the City of Tampa, draws Pinellas
25 voters into historically Tampa seat.

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1 And although this process has been
2 mostly cordial along the way, and I compliment
3 you, Mr. Chairman for the way you've handled
4 this, I'd appreciate the opportunity to record
5 a different vote under Congressional.

6 CHAIR RODRIGUES: On the Congressional.
7 Is there any objection to that? Seeing none,
8 that will be recorded. Do we have any other
9 members wanting to record any other votes?
10 Senator Gibson, you're recognized.

11 MS. GIBSON: Thank you, Mr. Chair. I'm
12 going to be consistent and would like to be
13 recorded as a no on the Congressional map, as
14 well.

15 CHAIR RODRIGUES: Any objection?
16 Seeing none, we'll have the record reflect
17 that, as well. As we wrap up, I want to begin
18 by making a couple of points in closing that I
19 think are important.

20 At the very beginning, we announced
21 that we were doing a joint website with our
22 House counterparts, which would service as a
23 mechanism for the public to submit maps and to
24 submit comments. And I encouraged everyone on
25 the committee to review those maps and review

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1 those comments.

2 It was brought to my attention that we
3 haven't put on the record whether that's been
4 done or not. So I want to make sure that I'm
5 clear. I reviewed every map that was a Senate
6 map or a Congressional map that was submitted
7 via the joint website.

8 I also read every comment that was
9 posted, particularly paying close attention to
10 comments on the Senate map and the
11 Congressional map. On the maps, it's very
12 clear whether it's a House, Congress, or
13 Senate map. On the comments, you actually got
14 to get into them to see whether they're
15 commenting on the House, Senate, or
16 Congressional map.

17 But everything that was submitted by
18 the public was at least reviewed by the chair,
19 and having had informal conversations with
20 members over the months, I've been told by
21 many of you that you have been looking at
22 them, as well.

23 So to the public that participated,
24 thank you for participating and thank you for
25 submitting your submissions.

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1 The next thing I'd like to do is thank,
2 first, my subcommittee chairs, Senator Burgess
3 and Senator Bradley.

4 Y'all worked very diligently, and I
5 think your committees gave the full committee
6 two good options to consider today, which made
7 this an expedited process and a process that
8 has yielded, I believe, strong maps that we
9 can take forward. So thank you for your
10 efforts and your leadership. They are very
11 appreciated.

12 The next thing I would say to the
13 committee members is thank you. I would
14 venture that our committee and subcommittees
15 have been working very hard from the very
16 first committee week.

17 I know not all committees were meeting
18 during every committee week, but some version
19 of the reapportionment committee was, whether
20 it was the full committee or the
21 subcommittees, and many of us were meeting
22 early in the week when it's not the most
23 convenient time because that's the way the
24 committee blocks worked out.

25 Thank you for your diligence in

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1 participating and being here and in working so
2 hard for us to accomplish this so that we
3 could this done as quickly as possible.

4 And the final thing I'd like to do is
5 thank our staff. For those that are on the
6 outside, I don't think they understand just
7 how Herculean the task in front of our staff
8 was. The census was delayed. The data from
9 the census was delayed by eight months. We
10 received in August what we would have gotten
11 much sooner in a normal basis.

12 And they accomplished in weeks what, if
13 you went back and looked at the last
14 redistricting cycle, staff took months to
15 accomplish. And that happened because they
16 were working every day, including weekends,
17 including holidays, and working at night. So
18 your efforts are noted, and they're
19 appreciated.

20 And I want to say on behalf of full
21 committee, thank you for your hard work. I'm
22 proud of our product, and I'm very proud of
23 the job that our staff has done to get us into
24 this position.

25 And with that, I will turn the floor

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1 over to Vice Chair Broxson who has some
2 comments.

3 MR. BROXSON: Mr. Chair, when we first
4 learned that you were going to be our chairman
5 and we knew your body of work as a senator and
6 how thorough you are, I want to tell you how
7 much I appreciate the way you handled yourself
8 during this process. You almost sequestered
9 yourself from the rest of the Senate process.
10 You did not file any bills until this was
11 resolved. And frankly, my anticipation of how
12 well you would do was surpassed by your
13 performance.

14 Thank you for your hard work. Thank
15 you for your dedication, your isolation, and
16 all the things that you brought to this
17 process, and I think along with the other
18 members, I certainly appreciate your
19 leadership in this regard.

20 CHAIR RODRIGUES: Thank you for your
21 kind words. I think a lot of people are
22 thanking me for my isolation. But it's been a
23 very enjoyable process. I've enjoyed working
24 with all of you.

25 Is there any other business to appear

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1 before the committee today? Yes. Senator
2 Bracy, you're recognized.

3 MR. BRACY: Yeah. I would -- I've been
4 thinking about the senate vote. I'd like to
5 change my vote, also, to a no. And I hate to
6 do it after such a great speech that you gave.

7 But I'll echo the comments that were
8 made about your leadership and how you handled
9 this whole process. I think it was done in a
10 transparent way. And I know staff has been
11 available to talk to and answer questions. So
12 I'd like to thank everyone involved here.
13 With that, that will conclude my comments.

14 CHAIR RODRIGUES: Is there any
15 objection to the vote change? Seeing none,
16 we'll have the record reflect that you have
17 changed your vote on the Senate map.

18 MR. BRACY: Correct.

19 CHAIR RODRIGUES: Any other business
20 before the committee? Thank you, Senator
21 Gibson. And with that, Senator Gibson moves
22 that we adjourn. Any objection? Seeing none,
23 we'll show that motion adopted, and we are
24 adjourned.

25 (End of Video Recording.)

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1

CERTIFICATE

2

3

I, Wendy Sawyer, do hereby certify that I was

4

5

authorized to and transcribed the foregoing recorded

6

7

proceedings, and that the transcript is a true record, to

8

9

the best of my ability.

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DATED this 15th day of March, 2023.

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WENDY SAWYER, CDLT

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