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Audio Transcription

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Common Cause, et al.        )  
  )  
v.                                ) 4:22-cv-109  
  )  
Cord Byrd                        )  
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TRANSCRIPTION OF VIDEO RECORDING  
SENATE SESSION  
APRIL 20, 2022

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DIGITAL EVIDENCE GROUP  
1730 M Street, NW, Suite 812  
Washington, D.C. 20036  
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2             UNIDENTIFIED FEMALE: All unauthorized  
3     persons will please leave the chamber. All Senators  
4     and guests in the gallery, please silence all  
5     electronic devices.

6             All Senators, please indicate your  
7     presence.

8             A quorum is present, Mr. President.

9             PRESIDENT SIMPSON: The Senate will be in  
10    order. The Senators and guests in the gallery will  
11    please rise for the opening prayer to be given by  
12    the Senator of the 8th District, Senator Perry.

13            SENATOR PERRY: Good morning. If you would  
14    bow your heads and pray with me.

15            Father God, we come before you today and  
16    acknowledge your sovereignty and your goodness to  
17    each of us and collectively to our state. We know  
18    from scripture that you ordained the institutions of  
19    the church, the family, and the government. We are  
20    humbled that we have the opportunity to serve in the  
21    government of this great state.

22            Thank you for the collective experience,  
23    talent, and diversity represented by the men and  
24    women serving here today. Each of us has a unique  
25    story that has led us here and we are strengthened

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1 by the gifts that each legislator brings to this  
2 body. We acknowledge that even with our individual  
3 successes we have blind spots. We ask that in spite  
4 of our biases, our backgrounds, and our politics  
5 that you bless the work that we do here, that you  
6 use each of us to bring about your purpose in our  
7 state.

8 In Proverbs, it says that, "The king's  
9 heart is a stream of water in the hand of the Lord;  
10 he turns it wherever he will." We ask that you  
11 direct our hearts that we can make decisions, that  
12 we are wise, and that we truly serve the communities  
13 of this state; that we represent and promote liberty  
14 and justice for all and allow for all the citizens  
15 of this state to have an opportunity to live lives  
16 full of your blessings.

17 Grant us unity in spite of our diversity,  
18 humility in spite of our successes, clarity in spite  
19 of the many distractions, and wisdom in spite of our  
20 humanity. I pray in the name of Jesus, all these  
21 things. Amen.

22 PRESIDENT SIMPSON: Amen. Please remain  
23 standing for the Pledge of Allegiance to be led  
24 today by the Senator of the 33rd District, Senator  
25 Osgood.

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1 SENATOR OSGOOD: Good morning.

2 (Pledge of Allegiance)

3 PRESIDENT SIMPSON: We will now continue  
4 with the order of business. Are there reports of  
5 committees?

6 THE SECRETARY: None on the desk,  
7 Mr. President.

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

10 THE SECRETARY: None on the desk,  
11 Mr. President.

12 PRESIDENT SIMPSON: Are there messages from  
13 the Governor or other executive communications?

14 THE SECRETARY: None on the desk,  
15 Mr. President.

16 PRESIDENT SIMPSON: Are there messages from  
17 the House of Representatives?

18 THE SECRETARY: None on the desk,  
19 Mr. President.

20 PRESIDENT SIMPSON: Are there matters on  
21 reconsideration?

22 THE SECRETARY: None on the desk,  
23 Mr. President.

24 PRESIDENT SIMPSON: Take up the bills on  
25 third reading. Read the first bill.



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1 THE SECRETARY: Senate Bill 2-C, A bill to  
2 be entitled "An act establishing the congressional  
3 districts of the state."

4 PRESIDENT SIMPSON: Senator Rodrigues, you  
5 are recognized to explain the bill.

6 SENATOR RODRIGUES: This is the bill that  
7 creates the congressional map that we discussed  
8 yesterday.

9 PRESIDENT SIMPSON: Are there amendments?

10 THE SECRETARY: None on the desk,  
11 Mr. President.

12 PRESIDENT SIMPSON: Is there debate on the  
13 bill? Seeing none --

14 PRESIDENT SIMPSON: Senator Bracy, you're  
15 recognized in debate.

16 SENATOR BRACY: Thank you, Mr. President.

17 Yesterday we had a committee, and we had  
18 Mr. Kelly, the Governor's attorney, present the  
19 maps. And I must say that his presentation was  
20 comical at many times. He said that he had no idea  
21 that he was drawing a map that gave Republicans the  
22 largest advantage possible. He said that he had no  
23 idea that he was putting a swath of black folks into  
24 a district with The Villages to dilute their vote.  
25 He just was drawing, had no idea, didn't look at any

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1 data. And I find it comical that he would even say  
2 that.

3 And the fact that this chamber would agree  
4 with that I find it disappointing, just --  
5 especially when three weeks ago we basically said  
6 that his map was unconstitutional. Now, we've  
7 totally reversed course. I would rather us just say  
8 the Governor holds all the cards, he's threatened a  
9 primary opponent from your party, he's going to veto  
10 projects in the budget. At least I could respect  
11 that. But the fact that we all were here and agreed  
12 to a map just three weeks ago, and now you all are  
13 telling me that what we passed three weeks ago is  
14 unconstitutional I think is ridiculous.

15 And I'll just say this, you know. He's a  
16 bully. And bullies don't respect weakness; they  
17 only respect power and strength. And if we continue  
18 to do this, it's only going to get worse.

19 I remember in the 6th grade there was a  
20 young man who bullied me. His name was Olleen  
21 (phonetic). He was from a place -- I grew up in  
22 Philadelphia, and he was from the worst part of  
23 Philadelphia, north Philly. And he would always  
24 threaten me to get all his older cousins and come  
25 and jump me. And it scared me. He would call me

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1 after school, and it worked. I'd get to school.  
2 Sometimes I'd hide in the bathroom because I thought  
3 he'd have all of north Philly coming to beat me up.

4 And finally I said, you know what, bring  
5 it. Bring it. You know what, if I get beat up, so  
6 be it. And I told him that. And I never had any  
7 problems with this kid again.

8 And I say that to say that this will  
9 continue. It will get worse. He will continue to  
10 threaten to primary endorse candidates from the  
11 leadership of this chamber. If you think that he's  
12 going to endorse anybody's candidacy because we're  
13 doing his bidding, it's not going to happen. It's  
14 going to be something else. Okay. Let's see how  
15 you do in the next special session. Oh, well, let  
16 me just wait and see until qualifying in June.  
17 That's how they work.

18 And you're going to continue to play this  
19 game with him. And before you know it, we're not  
20 going to have --

21 PRESIDENT SIMPSON: Senator Bracy, please  
22 stay on the content of the bill and not the  
23 Governor. Thank you.

24 SENATOR BRACY: I think I made my point.  
25 If we continue to go down this road, it will not be



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1 well for this chamber. And I say all of this out of  
2 respect for everyone - for you, Senate President,  
3 for every member of this chamber. I love this  
4 chamber.

5 I came from the House, and when I came to  
6 the Senate I was so proud to be here. I got a  
7 chairmanship. I couldn't even get a bill heard over  
8 there. In my first year I got a chairmanship, I got  
9 onto props, vice chairman. I mean, I really  
10 appreciate how we do business in this Senate. And  
11 so I don't mean to call out my colleagues and my  
12 friends, but I don't like how this process has been  
13 going, and I wouldn't be myself and I didn't say it.  
14 And so I say it out of love and respect for every  
15 member. So with that, I will oppose this map.  
16 Thank you.

17 PRESIDENT SIMPSON: Thank you. Is there  
18 any additional debate? Leader Gibson, you're  
19 recognized in debate.

20 LEADER GIBSON: Thank you, Mr. President.

21 In November 2010, as is printed in the  
22 Florida redistricting 2022 information that we  
23 received when we started this process, in November  
24 2010 Florida voters added amendments to the State  
25 Constitution in Article 3 Sections 20 and 21.



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1           These amendments prohibit line drawing that  
2     intentionally favors or disfavors a political party  
3     or an incumbent. The amendments also afford  
4     protection of racial and language minorities.  
5     Districts may not be drawn with the intent of  
6     denying or abridging the equal opportunity of racial  
7     or language minorities to participate in the  
8     political process or to diminish their ability to  
9     elect representatives of their choice.

10           The maps that we have -- I think it's 109 -  
11    - are certainly counter to this information and the  
12    Florida Constitution. Period. There's no question  
13    about that. The secondary map that came to us from  
14    the House before the end of session has a  
15    configuration of District 5 that is very similar,  
16    almost identical, to what the courts drew in 2016.  
17    In the secondary map that we received, the black  
18    voting age population is at 43 percent. Even in the  
19    primary -- the secondary -- the primary map that we  
20    received from the House has 35 percent BVAP.

21           And so when I look at the information that  
22    we received and heard yesterday in the committee,  
23    the BVAP in -- there are two districts now split  
24    Jacksonville in half pretty much. Or maybe not half  
25    because the percentages aren't really half. So in

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1 the District 5 -- in the District 4 configuration in  
2 Duvall, the black voting age population is 30  
3 percent. In the District 5 configuration of the map  
4 that also includes Duvall, it's 12 percent. I call  
5 that diminishment by any means.

6 And so the other situation with this map is  
7 that an entire swath of this state, there will be no  
8 African American -- no African American member of  
9 Congress. And likely no African American member  
10 could be elected, while thousands of African  
11 Americans live in this entire swath of the state. I  
12 call that taxation without representation. And that  
13 should be a compelling interest of this state.

14 Thank you, Mr. President.

15 PRESIDENT SIMPSON: Thank you. Senator  
16 Stewart, you are recognized in debate.

17 SENATOR STEWART: Thank you, Mr. President.

18 I served on the reapportionment committee,  
19 and I do want to say -- and I know I've said it over  
20 and over again, Senator Rodrigues was an excellent  
21 chairman. He listened to everybody. The audience  
22 would come, he would listen. We made changes to the  
23 Senate map based on input. Some were accepted, some  
24 weren't. That's the process. And we had a nearly  
25 perfect map when we brought this to you. I was very

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1 proud of that. I was very proud of the process.

2 And it just hurts me to see that we have  
3 now come full around to a map that was not really  
4 discussed in the public, and that the public has no  
5 input. And then when we hear from the person who  
6 did the map from the Governor's office, it was  
7 explained to us that they worked really hard on Tier  
8 2, which they did. It's compact, it's, you know,  
9 all that. But they didn't even look at Tier 1. And  
10 Tier 1 is to me the more important part of the  
11 process. And since that wasn't even considered, and  
12 they were using roadways to determine the lines, and  
13 that they had -- very well they said they did not  
14 want to look at Tier 1 because they didn't think it  
15 applied. And I have to disagree. I think that that  
16 number -- Tier 1 is the most important aspect of any  
17 map that we draw. And that is why I can't support  
18 this, because I don't think that they've looked at  
19 everything. And I think that the constituents  
20 probably are not going to be particularly happy with  
21 the outcome of this map, and I'm sure we're going to  
22 march ourselves off to court, and everybody here I  
23 think agrees to that. But that's not what we --  
24 that's not what our role should be is pass something  
25 that goes to court. So I'm just not going to be in



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1 a position to support this, because I really think  
2 we did a good job the first time. Thank you.

3 PRESIDENT SIMPSON: Senator Jones, you're  
4 recognized in debate.

5 SENATOR JONES: Thank you, Mr. President.

6 Members, just three weeks ago this body --  
7 we came together and we argued and we defended a map  
8 that we said was constitutional. Yesterday my good  
9 friend, Senator Rodrigues, made it clear that the  
10 Governor's office said that this map was now  
11 unconstitutional and it was gerrymandering. Do you  
12 all know how many black members have ever served in  
13 Congress since reconstruction in the State of  
14 Florida? I'll tell you --11.

15 Now we have five black members of Congress.  
16 And of those five black members of Congress in a  
17 state with 22 million people, where black people  
18 make up 16 million -- I mean 16 percent of this  
19 state, we now run the risk of only having two black  
20 members of Congress; that's Byron Donalds and  
21 Frederica Wilson. Two.

22 After Governor DeSantis made the veto of  
23 the maps, which we know -- which we knew he was  
24 going to do because he tweeted about it during the  
25 time when we were in session, this body, we said



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1 that it didn't matter and we were going to do the  
2 right thing. We voted for it, we went home with the  
3 understanding what the Governor was going to do.  
4 But what I did not think was going to happen was  
5 that we were going to acquiesce to the Governor and  
6 allow him to hijack this process.

7 I think Senator Bracy made it clear a few  
8 minutes ago that a lot of this stuff that I see now  
9 in the Senate, we used to see in the House, to where  
10 there was no say. It was a top-down approach on how  
11 things are done. And when we came up to the Senate,  
12 for those of us who served in the House together,  
13 whether Democrat or Republican, we used to be happy  
14 when bad bills came over to the Senate, because we  
15 knew where bad bills came to die. Because we are an  
16 independent body.

17 But in this instant I ask all of us in this  
18 chambers, who are we? Are we the Senate, or are we  
19 going to allow this process to be hijacked in the  
20 way that it's being hijacked in -- right now? And  
21 it's clear -- and I don't want to spend time talking  
22 about the Governor, because I think we see that in  
23 the news and all this other stuff. But I even think  
24 that while we are here in this chamber and we know -  
25 - we know -- that what we are doing right now is not

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1 right. We know it's going to court, because  
2 yesterday we put an amendment in place that is a  
3 total violation of the law as it pertains to  
4 separation of powers. But yet still we moved on and  
5 we did it anyway.

6 There's an old saying that when people show  
7 you who they really are, believe them. Yesterday on  
8 the steps of the old Capitol over 200 black leaders  
9 from across this state came together to make it  
10 clear that what we were doing in this chamber is  
11 wrong. It's wrong. There's no need for me and the  
12 other members to get up here and scream and yell and  
13 all this other stuff.

14 But my dad used to always say we -- I hope  
15 you get convicted by words. So it's my hope that  
16 you recognize that when you begin to trample on  
17 marginalized people in the manner that you're doing  
18 when you know it's wrong, that's when you have to do  
19 some self-reflection on whether or not we are doing  
20 the right thing, which it's not.

21 And I'll end with this. If we are going to  
22 go down this road and we're going to set this new  
23 norm to where we allow the executive branch to play  
24 the Legislature at the same time, there is no need  
25 for all of us to show up. Let the executive branch

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1 do what they want to do. But when we know for a  
2 fact that we are an independent body that every last  
3 one of us have been elected by somebody -- or  
4 people, excuse me -- to come up here and do the  
5 right thing, I think we should do that. Thank you,  
6 Mr. President.

7 PRESIDENT SIMPSON: Thank you. And I think  
8 Leader Gibson had one more sentence she wanted to  
9 add. And you are recognized.

10 LEADER GIBSON: Thank you, Mr. President.  
11 It is a very important one. I didn't flip my page  
12 up trying to be brief.

13 But I wanted everyone in this chamber to  
14 know that I was the only Democrat before we left the  
15 Senate that voted for the two maps that left this  
16 chamber. And that has come up in the media. And it  
17 was all about Jacksonville, because Jacksonville was  
18 front and center. And so I just wanted for the  
19 record to make sure this chamber knows that in  
20 Jacksonville the totality of our people is bigger  
21 than discriminatory maps. Thank you, Mr. President.

22 PRESIDENT SIMPSON: Thank you. Senator  
23 Osgood, you're recognized in debate.

24 SENATOR OSGOOD: Thank you.

25 Good morning again. You know, as I looked



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1 at what you all did a couple of weeks ago, what the  
2 House did, the maps went to the Governor, the  
3 Governor vetoed the maps and declared that they were  
4 unconstitutional, yesterday we were told that the  
5 House maps, that some of the methods that they used  
6 was then used again to create the Governor's maps.  
7 We had long conversations and presentations about  
8 the intent, the interests of the state.

9 And I just want to be clear today that  
10 black people are in this state. They make up a  
11 large portion or sector of the state, and they're  
12 not going away. And right now the people that I  
13 represent are hurting. They feel disrespected.  
14 They feel that we're not even allowing the process  
15 that works with the three branches of government to  
16 be played out. They feel like we're just caving in,  
17 we're just giving in.

18 And we can make our legal arguments, but at  
19 the end of the day people matter. And for people of  
20 color, a lot of times the law works against us. And  
21 when we bring out maps in this way that clearly,  
22 clearly targets people of color, clearly puts people  
23 of color at a disadvantage, we're taking a step  
24 back.

25 We've had many constitutional amendments.



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1 We've had amendments to the state constitution. And  
2 as we look at this state as a whole, how do we build  
3 consensus, even when we don't always agree, where  
4 people at least feel like they have an equal  
5 opportunity in this process. I came here to work,  
6 to represent the people that elected me, regardless  
7 of their race, their religious background, their  
8 sexual orientation.

9 And when it's being displayed that we're  
10 not doing our jobs, that we're giving in -- Senator  
11 Bracy talked about bullying. And you know, I'll  
12 just say in certain neighborhoods we just don't  
13 tolerate that. We take a stand, and we're willing  
14 to pay whatever consequence. I think that we all  
15 have a moral obligation to be accountable to the  
16 people that elect us and to be accountable to a  
17 higher being.

18 And as we sit here today, if we lived in  
19 District 5 or if we lived in District 10 and we were  
20 people of color, how would feel about this major  
21 injustice? How do we balance the love for this  
22 great nation, this great state? All we're asking  
23 for, as people of color, in the words of Aretha  
24 Franklin, just a little respect.

25 When I go home to my district, I want the

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1 Senate to be respected. I don't want us to be seen  
2 as a body that just kowtows and just rolls over.  
3 And I can tell you as a person of color who believes  
4 in democracy, who spent their career in formal  
5 training in public administration, who has taken the  
6 time to be theologically trained, this hurts. It  
7 kind of puts all of my moral beings, all of my  
8 theological perspectives -- it's a major dichotomy  
9 now because government is for the people, by the  
10 people. And we're supposed to take care and look  
11 out and create opportunities for people, not take  
12 them away.

13 So let's think about that real hard today.  
14 And we don't have to be afraid of any person or  
15 anything, because, ultimately, there is a higher  
16 being that we, ultimately, have to give an  
17 accountable to. And for me when it's a choice, I'm  
18 going to always look to do what's going to put me in  
19 the best light with that higher being.

20 So I ask you today to just imagine you were  
21 in one of these districts, and these maps were being  
22 pushed on you. How would that impact you, your  
23 children, your grandchildren for the next 10 years?  
24 Thank you.

25 PRESIDENT SIMPSON: Thank you. Is there

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1 any additional debate? Yeah. Senator Berman,  
2 you're recognized.

3 SENATOR BERMAN: Thank you, Mr. President.

4 So if we were truly doing a race-neutral  
5 map, we'd start in the panhandle, and we'd have a  
6 series of squares and it would go all the way down  
7 the state. But we know we're not doing that. We're  
8 doing a gerrymandered map based on the Governor's  
9 directions. We all know that Florida is a state  
10 where elections are decided by margins of three  
11 percent or less. Yet we've created a congressional  
12 map where there are probably 20 Republicans and 8  
13 Democrats.

14 You know, I went to law school so I didn't  
15 have to do math, along with Senator Burgess. But  
16 that's clearly not a three percent differential. We  
17 are creating a map which doesn't reflect the  
18 electorate of Florida. And the changes to the map  
19 are telling. We reduced the number of African  
20 American majority minority seats from four to 2.  
21 The Voting Rights Act was put in place to ensure  
22 minority representation, and we are destroying it  
23 with the action today.

24 In 2010 over 60 percent of Floridians  
25 supported fair districts, which clearly provided for



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1 Tier 1 minority representation. There is no  
2 justification for not following fair districts. We  
3 have seats that go almost 200 miles in the present  
4 map, so that's clearly not a justification for  
5 eliminating minority representation. We also have  
6 seats that cross the Everglades to assure  
7 minority/majority Hispanic representation, so that's  
8 not a basis for eliminating it -- African American  
9 districts. There really is none, other than the  
10 fact that, that is our Governor's direction.

11 I want to talk a little bit about the  
12 timing of this also. We are one of only three  
13 states in the country that do not have a  
14 congressional map as of this date. This could and  
15 should have been done a long time ago, and I  
16 understand that the Governor's veto resulted in  
17 where we are today. But I'm worried that we haven't  
18 given the courts enough time. We know that there  
19 are people who want to challenge this map.

20 And what's probably going to happen,  
21 because we have qualifying in June, is that we are  
22 going to be stuck with a map that hasn't been  
23 adjudicated. And I believe that it's very likely  
24 that the court system would put a new map in place,  
25 just as they did in the previous maps that we put in



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1 place. And in that situation we had the same thing,  
2 where we had a map for several years that was  
3 unconstitutional. And I really feel that this is --  
4 I worry that we're not going to have enough time  
5 before the November election to have it be reviewed  
6 before we have this map put into place.

7 Some of the amendments that we put on the  
8 bill yesterday were really troubling. The issue of  
9 where you can bring a lawsuit is not one that we  
10 should be deciding here in this Legislature. And  
11 then the money for legal fees, we have seen so many  
12 times that this Legislature has passed bills that  
13 the courts have deemed unconstitutional. And yet  
14 we're spending our taxpayer dollars to go and defend  
15 those actions, and we're doing the same thing here  
16 with this map. And I really find it unfair to our  
17 citizens, and I'm outraged that this is another case  
18 where we would have to do this.

19 You know, as I was coming here yesterday in  
20 the airport, a gentleman stopped me as I was coming  
21 through in Miami. And he could see that I was  
22 heading toward the plane from Tallahassee.

23 And he said to me, "Are you going to  
24 Tallahassee?" And I said, "Yes." And he said, "Can  
25 I ask you a favor?" And I said, "Sure."

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1 And he said, "Can you make sure that my  
2 vote and my voice is heard in Tallahassee?" And I  
3 turned to him and I said, "I absolutely will."

4 And I want you to know that this was just  
5 an employee working in the airport who understood  
6 what was going on here in this state. So I want you  
7 to know that people are watching. People are aware.  
8 So make sure when you vote today that you remember  
9 that the people in the state of Florida are  
10 watching. We were put here to do fair maps. This  
11 is our responsibility once every 10 years. And I  
12 don't believe we're doing it with this map, and I  
13 ask you to vote it down today. Thank you.

14 PRESIDENT SIMPSON: Thank you. Is there  
15 any additional debate? Senator Cruz, you're  
16 recognized.

17 SENATOR CRUZ: Thank you, Mr. President.

18 Of course I oppose this map, because on its  
19 face I believe it violates the fair district  
20 amendments in the Florida Constitution. Instead of  
21 keeping the south portion of Pinellas County whole  
22 it splits this community, taking the eastern portion  
23 and jumping the bridge -- is what we call it -- and  
24 putting it in Tampa and other sections of  
25 Hillsborough County. Looking at this map, one

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1 cannot even say that it works to respect  
2 geographical boundaries. Section of the Pinellas  
3 portion of the map appear to cut neighborhoods in  
4 half, and in one instance even appears to cut a  
5 building in half.

6 Publicly available performance data  
7 suggests that these changes were made to create a  
8 South Pinellas seat that significantly favors a  
9 Republican. Because of these gerrymanders in the  
10 obvious partisan favoritism in this map, it's really  
11 very unconstitutional. And Senators, ignoring fair  
12 districts -- which oh, by the way, is an amendment  
13 to the Florida Constitution, which oh, by the way,  
14 happened because the people had to go around this  
15 body and put an amendment to our Constitution in an  
16 effort to force fair districts -- totally, in my  
17 opinion, being ignored.

18 What I'm really worried about is this  
19 persistent abuse of power and a total and complete  
20 disregard for the laws. You know what this is?  
21 This is a stage 4 malignancy, and this will be the  
22 death of democracy. Thank you.

23 PRESIDENT SIMPSON: We are in debate. We  
24 are in debate. let's go to the Senator of the 3rd,  
25 Senator Ausley, followed by the Senator of the 38th,



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1 Senator Pizzo. Senator Ausley, you are recognized  
2 in debate.

3 SENATOR AUSLEY: Thank you, Mr. President.

4 And I want to start out by echoing my --  
5 the sentiments of my colleagues. Senator Rodrigues,  
6 I have nothing but respect for you. Since I moved  
7 to this side of the floor I've been able to see you  
8 up close and personal, and I've watched you  
9 patiently and stoically answer our questions. And  
10 we were proud, most of us, to support your work on  
11 the House and the Senate maps. But I for one did  
12 not support the congressional map because I believed  
13 it violated fair districts and drawing a Duvall only  
14 seat that clearly disfavored Congressman Al Lawson,  
15 the current incumbent in House District 5.

16 Now, in the Governor's veto message he  
17 describes District 5 and secondary map as this  
18 sprawling district that stretches approximately 200  
19 miles from east to west and cuts across 8 counties  
20 to connect a minority population in Jacksonville  
21 with a separate and distinct minority population in  
22 Leon and Gaston Counties, suggesting that House  
23 District 5 is only about connecting Jacksonville and  
24 Tallahassee. And members, that is not true.

25 I am very familiar with these counties

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1 across north Florida. I've lived here my entire  
2 life. The current House District 5 includes all or  
3 part of eight counties. My Senate district shares  
4 five of these counties. On average these counties  
5 or the part of the counties that make up House  
6 District -- current Congressional District 5 have an  
7 average African American population of 25 percent or  
8 more, making up a cohesive community of urban and  
9 rural voters, many of whom have lived in these  
10 communities since the 1800's.

11 While this body has not provided us with  
12 partisan performance data, the publicly available  
13 data shows that in the current version of the 5th  
14 District this cohesive community of black urban and  
15 rural voters makes up a Democratic primary that is  
16 70 percent black. In fact, all of the counties in  
17 this district but one are majority black in the  
18 Democratic primary, allowing the historic African  
19 American community of north Florida to elect the  
20 candidate of their choice.

21 As I said, I voted against our  
22 congressional map because I believed it violated the  
23 fair districts, but this map goes even farther than  
24 that. This map shows us that it's not about  
25 compactness. This is about limiting minority

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1 access. To be clear, under this map north Florida  
2 black voters will not have a district that  
3 represents them, not in Duvall, not in Tallahassee,  
4 not in any points in between.

5 This map is unconstitutional on its face,  
6 and it violates the Voting Rights Act. And for  
7 these reasons I will be voting no, and I urge you to  
8 do the same.

9 PRESIDENT SIMPSON: Thank you, Senator  
10 Ausley. We have on the lineup Senator Pizzo,  
11 Torres, Stargel. The Senator Ann Burgess will be  
12 added to that list. Senator Powell will be added to  
13 that list. The Senator of the 38th, Senator Pizzo,  
14 you are recognized in debate.

15 SENATOR PIZZO: Thank you, Mr. President.

16 So I was pretty good at math, even though I  
17 got a law degree. None of my math books I don't  
18 think indoctrinated me. They just taught me the  
19 right answer, because math only has one right  
20 answer. So here's from math. The Florida Senate is  
21 the closest representation on count for constituent  
22 numbers as Congress. If you take 21,800,000 people,  
23 you divide it by 28 seats, 778,000 constituents.  
24 Take 21,800,000 Floridians, divide it by 40 Senate  
25 districts. It's 545,000. Closer in number, a large



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1 number, than any other representation throughout  
2 Florida in 11-plus municipalities and 67 counties.  
3 Miami-Dade County, the most populous county with 2.8  
4 million people or there around; roughly 212,000  
5 constituents per district holder of 13  
6 commissioners. We are the closest thing to  
7 congressional.

8           Here's what's really interesting about the  
9 math. There are 6 black members of the Florida  
10 Senate. That's 15 percent of the body. There are  
11 21 black members of the house. That's 17 and a half  
12 percent. The blended average of those two is  
13 roughly 16 and a half percent, which is exactly the  
14 black population in the State of Florida. That's  
15 math; it has one right answer.

16           In Florida we're about to go from four to  
17 two. Maybe even less, because I've gotten six phone  
18 calls to run for Congress where I live because two  
19 black members have filed, will poach each other's  
20 vote, and I can win. I'm running for the Florida  
21 Senate. Because I think this place is not one of  
22 435, it's one of 40. We have the ratio of members  
23 to constituents, the greatest power influence and  
24 ability potential to do good and bad. Remember  
25 those numbers - 21 black members in the House, 6

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1 here; 16 and a half percent blended average,  
2 reflective almost exactly to the black population of  
3 the State of Florida.

4 These maps do not. CD proposed 10 did not  
5 have to split a minority district. I keep hearing  
6 compactness as an argument, which is always  
7 secondary to minority protection in Tier 1. Alex  
8 Kelly is not a lawyer, and if he was, he wouldn't be  
9 a good one.

10 Here is what everyone was trying to say,  
11 but I realize the utility of my position, folks, is  
12 to lay a record. And I hate being right about these  
13 things. Some of the amendments that we've had over  
14 some of these bills that we've discussed, the  
15 million dollar cap on legal fees, that's called bath  
16 faith. That means that you are entering into a  
17 contract, a negotiation, or an agreement knowing  
18 it's likely to fail, be challenged, or be infirm.  
19 That's what you're doing. You're doing it for your  
20 political futures, and I understand it.

21 But I don't know if that's what you want me  
22 to continue to tell my constituents about why things  
23 are so crazy up here. Because you were told to do  
24 it. But that's what I'm telling them. If there's  
25 something else you would like me to tell my kid's

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1 baseball coach, my next door neighbors, my wife, let  
2 me know. Because I have been given no reason other  
3 than some very smart people -- what do we have?  
4 One, two, three, four -- what do we have, nine  
5 lawyers in here? Some very smart people are walking  
6 into things they know will be struck down, rejected.  
7 So you tell me after we leave here what you would  
8 like me to tell intelligent, engaged and informed  
9 constituents about why you continue to do things  
10 that you know either make sense, don't save kids in  
11 my district's lives or yours, don't improve streets,  
12 roadways or infrastructure. You tell me what you  
13 want me to tell them.

14 PRESIDENT SIMPSON: Senators, we're in  
15 debate. On the lineup is Torres, Stargel, Powell  
16 and Burgess. From the 15th, Senator Torres, you're  
17 recognized in debate.

18 SENATOR TORRES: Thank you, Mr. President.  
19 Mr. President, I rise in opposition to these maps.  
20 Under the Florida Constitution the Legislature is  
21 charged with the responsibility of drawing  
22 congressional district maps based upon population  
23 changes after each decade of census counting. But  
24 today we're allowing the Governor to draw and  
25 propose these maps instead of drawing them ourselves



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1 through normal staff and committee process. This  
2 Legislature is a core equal branch of the government  
3 with the Governor, but we have given him authority  
4 over this issue which is clearly our responsibility.

5 The recent census data showed increased  
6 population growth in Florida, which is why we added  
7 one new Congressional seat. The largest population  
8 growth in Florida was in the Hispanic community.  
9 There was also a growth in the African American  
10 community as well, but the proposed map eliminates  
11 two current African American seats and does not  
12 increase the number of Hispanic access seats, even  
13 though those two communities are larger today than  
14 they were a decade ago.

15 Mr. President, establishment of minority  
16 access district has been affirmed by the courts for  
17 several decades to be constitutionally compliant and  
18 ensures opportunities for minority communities to  
19 elect Congressional candidates that will represent  
20 their interests. Why should we deviate from the  
21 longstanding tradition by passing maps that  
22 decrease, not increase, minority access  
23 Congressional seats?

24 I object to both subsets of this  
25 congressional map's districts and the process that

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1 brought us here to address the issue. For these  
2 reasons I cannot support the maps on -- that are  
3 before us today, based upon the reduced access of  
4 representation of minority communities. I fully  
5 expect that the courts will have the ultimate settle  
6 -- ultimate settle this issue, just as they did when  
7 this body approved unlawful maps last decade. Thank  
8 you, Mr. President.

9 PRESIDENT SIMPSON: Thank you, Senator  
10 Torres. We're in debate. You're in debate.  
11 Senators on deck: Stargel, Powell, Burgess, Rouson.  
12 Let's go to the District of the 22nd. It's Senator  
13 Stargel is recognized in debate.

14 SENATOR STARGEL: Thank you, Mr. President.

15 And I will start this debate by saying I  
16 liked our Senate maps. I will submit that. We  
17 voted on the Senate maps. I like it when everyone  
18 does things my way. That's typically the way I am.  
19 But unfortunately we all have to work together in  
20 this process. And if there was only one right way  
21 to draw a map, that would be something that could be  
22 discussed. But there is not. There are multiple  
23 ways to draw these maps. There are multiple ways to  
24 draw these maps constitutionally.

25 If each of us were to -- I would submit

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1 that many of the drafts of maps that we've seen were  
2 probably constitutional. But we all have to agree  
3 we've done a lot of legislation over the years. And  
4 again, I like it when we do legislation my way, but  
5 we have to work with the house and we have to work  
6 with the Governor.

7 And before we even passed our maps there  
8 were lawsuits filed, because the truth of the matter  
9 is that the other side wants the courts to draw our  
10 maps. They don't want us to draw the maps. They  
11 want to take away our constitutional responsibility  
12 to draw maps. They want to take it away and give it  
13 to the courts. So before we were even done with our  
14 maps in March, they filed a lawsuit against our  
15 maps.

16 Now, I've heard a lot of discussion today  
17 about the minority districts. And so I asked our  
18 staff to poll with regards to our Senate and the  
19 math that Senator Pizzo said, and I don't like math  
20 or work so I'm not a lawyer or a mathematician. And  
21 of our Senators -- and we're doing a representation  
22 -- Gibson, Bracy, Rouson, Powell and Jones were all  
23 elected not by majority minority districts. And yet  
24 they're still here sitting in this chamber, and  
25 they're still representing the Florida Senate.



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1 Senator Osgood was the only one who was elected by a  
2 majority minority district.

3 So to say that these maps as they're drawn  
4 today are hurting minorities I believe is not  
5 accurate. It depends on who decides to run for  
6 those districts. And if that minority is a good  
7 candidate -- minority member is a good candidate,  
8 then they'll get elected.

9 So as I stand here before you today, I  
10 believe these maps are constitutional. I wouldn't  
11 vote for them if I didn't. And the funds we put in  
12 the budget is because we know they're going to be  
13 challenged because of the precedent of the last  
14 maps, which many have said they liked in this  
15 chamber, were challenged before we even got done.  
16 So we know they're going to challenge, because the  
17 reality is they want the courts to draw the maps.

18 These are constitutional maps. I think  
19 they're very thoughtful. I don't think any of us  
20 who vote for them today are racist or following the  
21 direct will of the Governor. We're doing our  
22 constitutional requirement of drawing maps,  
23 submitting maps, discussing maps, working together  
24 with our branches of government and making sure we  
25 have a constitutional map. And I'd ask for you to

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1 please vote for them today.

2 PRESIDENT SIMPSON: In debate: Powell,  
3 Burgess, Rouson. The Senator -- Senator Powell of  
4 the 30th, you're recognized in debate.

5 SENATOR POWELL: Thank you, Mr. President.

6 The question I have is -- Senator Pizzo  
7 said it earlier, approximately nine attorneys in  
8 this body of 40 people; 39 when we end at session.  
9 How did we end up with compromised maps with all of  
10 these attorneys? And I battled that over and over  
11 again.

12 I woke up this morning, woke up this  
13 morning. I had like the same thought that I had  
14 several weeks ago. There's a lion and a gazelle  
15 that wake up every morning running. One is running  
16 to get food; one is running not to be food. And I  
17 wake up knowing in this process that we have to  
18 continue to fight. And sometimes you get tired,  
19 right? Tired of the book bans, tired of the don't  
20 say gay, tired of the maps being changed, tired of  
21 the CRT, tired of the race. Tired of wondering when  
22 I wake up in the morning am I black today, am I  
23 colored, am I a negro? What is my battle today?

24 In a state with 21.5 million people, when  
25 we're talking about congressional maps and we talk

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1 about the census, Senator Jones said earlier that in  
2 this state there has only been a limited number of  
3 people who've been black who've been elected to  
4 Congress. So you all remember recently, right in  
5 the seat that Senator Bracy sits in now, that -- in  
6 that chair but in the District 33, we had a former  
7 member who ran for Congress and is not here. Why  
8 did all of those people run for Congress? And my  
9 name was tossed around in that same sentence in  
10 terms of potentially running.

11 But prior to 1992 in the statehood of  
12 Florida, prior to 1992 there were zero -- well,  
13 after reconstruction there was one - Josiah T.  
14 Wells. But prior to 1992 there were zero black  
15 people in Congress. And then in 1992 we got Corrine  
16 Brown, Alcee Hastings, who represented where I  
17 lived, and then down in south Florida, Carrie Meek.  
18 You all remember Carrie; she recently passed away.  
19 She was replaced by Kendrick, who then was replaced  
20 by Frederica Wilson.

21 In Jacksonville you had Corrine Brown, who  
22 has been replaced by Al Lawson and Val Demings,  
23 because that became two different seats. Palm Beach  
24 County we recently had an election where all of  
25 these people ran for that one Congress seat. Why



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1 would all of those people run for one Congress seat?  
2 To be one of the 10 black people to ever be elected  
3 to Congress here in the State of Florida, where  
4 we're going to have 28 congressional seats. And  
5 maybe 2 or 3 after we completely pass this map will  
6 represent black people.

7 And I tell my daughter every day that you  
8 can be anything you want to be, right, because  
9 that's what my mother told me. But I wake up every  
10 day knowing that I'm going to have to fight. And  
11 Senator Bracy said earlier that he had to deal with  
12 a bully, right. And I have to remind myself every  
13 day -- I listen to all kinds of music -- gospel,  
14 rap, country. I have to remind myself that Bone  
15 Crusher said it best, "I ain't never scared." Which  
16 means sometimes we're going to have to stand in the  
17 way, and we're going to get knocked on our backs.  
18 Celeste Brown said if you can fight and you knocked  
19 on your -- knocked down, try to land on your back,  
20 because if you can look up, you can get up.

21 And this process becomes more and more  
22 difficult. Because when I got here, boy, there were  
23 some fighters up in here. Latvala, he didn't always  
24 agree with the Democrats or the Republicans. Boy,  
25 but he was a fighter, right. You never knew where

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1 he was coming from. Today is a little bit  
2 different. A lot of us have lost our fight. A  
3 couple people stand up and fight for what they  
4 believe in. It doesn't necessarily have to be  
5 Democratic, and it doesn't necessarily have to be  
6 Republican.

7 But in this world that I live in, this map  
8 that we're proposing tells people we don't want to  
9 say the words "black lives matter," but you show me  
10 this and subconsciously, like the wall I told you  
11 all about, you understand what the map says. Is it  
12 because 40 members of this body who are  
13 professionals pass maps and now we say they're  
14 compromised? Is it because we're within 30,000  
15 votes of bringing it home? Is that what we're  
16 scared of? I wake up every morning knowing that I  
17 have to fight.

18 And I know I came from West Palm Beach  
19 reluctantly, reluctantly, because I'd rather be home  
20 with my wife and daughter. Love, Senator Bracy, is  
21 an action. Love is a strong word. I dated a lot of  
22 girls -- women -- people, whatever.

23 (Laughter)

24 Not people, but women. At least you all  
25 know I dated people, not animals.

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1 But it's a lot to love. It's a lot. When  
2 you say, "I love you," that's strong, and I don't  
3 take it lightly. When you say, "I love," love is an  
4 action. I knew my mom loved me, not just because  
5 she said it but because of what she did. I know my  
6 father loves me, not because of what he says -- and  
7 sometimes he don't say it -- but because of what he  
8 does. My father and mother were born in 1947. My  
9 mother died in 2001 and she couldn't fight for me  
10 any longer. So I'm here and I'm ready. And I know  
11 I've got to fight.

12 Lauren, you and I talked about what Chris  
13 Smith said about rain. I understand. Trevor, you  
14 talked about Maya Angelou said, and I'll finish you  
15 all with this. Maya Angelou did say that when  
16 people show you who are -- who tell you who they  
17 are, you believe them the first time. But she also  
18 said that, "You may write me down in history with  
19 your bitter, twisted lies, banning me out of books.  
20 You may trod me in the very dirt, but still, like  
21 dust I'll rise."

22 We will continue. We'll battle. We're  
23 here today. These will be our words. But we will  
24 continue to rise. We'll rise above the pit of  
25 mediocrity in which we've tried to be buried. We



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1 will rise above any feelings that we may think are  
2 racist or negative. We will rise above the times  
3 when we were colored to when we were black. We will  
4 rise in a chamber, regardless of the banning of  
5 books. We will rise, we will continue to rise, and  
6 we will rise. But when it comes to this legislation  
7 and this map, I will be down. And I would ask you  
8 to do the same.

9 Thank you, Mr. President.

10 PRESIDENT SIMPSON: Thank you, Senator  
11 Powell. Up next: Burgess, Rouson, Farmer. Senator  
12 of the 20th, Senator Burgess, you're recognized in  
13 debate.

14 SENATOR BURGESS: Thank you very much,  
15 Mr. President. I'll be brief.

16 This is only the second cycle since the  
17 Florida constitutional amendment was put in for the  
18 fair districts. Unless this is resolved, we're  
19 going to be dealing with these types of legal  
20 questions every single decade. And the way I view  
21 this, as is with many constitutional amendments,  
22 however noble their initiative and their passage  
23 there are a lot of legal questions that remain  
24 unresolved because a constitutional amendment does  
25 not contemplate the full left and right limits of

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1 the law.

2 And so what we have here and what has been  
3 identified by the Supreme Court are two remaining  
4 legal questions that have not been thoroughly vetted  
5 within these last two cycles, or by the court, or  
6 contemplated in our law. And those two questions  
7 are the interplay between the Tier 1 standards in  
8 our constitution and the equal protection clause, as  
9 well as the extent to which the non-diminishment  
10 standard of Article 3, Section 21(a) compels map  
11 drawers to create districts that conflict with the  
12 Tier 2 standards in Article 3 Section B has yet to  
13 be clearly interpreted by state or federal courts.  
14 So these two legal questions remain unresolved.

15 If the concern is truly legal, then this is  
16 an opportunity to resolve these legal questions once  
17 and for all. The venue provision from yesterday is  
18 a completely normal, completely standard, and  
19 completely consistent approach that we have in  
20 Florida law, and it's no different here.

21 Florida has led the way, in my opinion,  
22 with an incredibly transparent process. And this  
23 process is not just the Senate, it's not just the  
24 house, it's not just any branch. It takes three to  
25 tango. And this map before us does incorporate

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1 input from all branches of government here. And  
2 because of that and because of what we heard  
3 yesterday, with there being the citation of legal  
4 precedent and this being a novel legal argument, a  
5 case of first impression in which a legal issue that  
6 has never been decided is before a governing  
7 jurisdiction, I feel very comfortable supporting  
8 what is before us.

9 This has been a transparent process.  
10 Florida has led the way. If you don't believe me,  
11 look at some other states. New York, a special  
12 magistrate is now drawing their maps. In New  
13 Hampshire the Supreme Court is now taking over.  
14 Maryland is on round two. You don't even want to  
15 know what's going on in Wisconsin, among other  
16 states.

17 So I am very proud of what we've been able  
18 to do in the State of Florida. I think that we do  
19 have a legal question before us that will be  
20 addressed clearly. And that is something we should  
21 welcome, because for future redistrictors (sic) this  
22 will hopefully resolve this question and make this  
23 process more clear for all of us.

24 PRESIDENT SIMPSON: We are in debate.  
25 Lineup: Rouson, Farmer, Hutson, Book. Senator of



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1 the 19th, Senator Rouson, you're recognized in  
2 debate.

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

5 "A crust of bread and a corner to sleep in,  
6 a minute to smile and an hour to weep in. A pint of  
7 joy to a peck of trouble, never a laugh and the  
8 moans come double. And that is life." See, you can  
9 dissect what we've done. You could intersect it,  
10 cross-sect it, you could sect it any way you want.  
11 I'm not a mathematician.

12 But I'll never forget December 10, 1980,  
13 when the late, great Judge James B. Sanderlin, asked  
14 me to raise my right hand and accept the oath to  
15 become an attorney. He said, "Rouson, your role,  
16 your job as a lawyer is to make the law make sense  
17 to common people."

18 I can hear the moans of black people in  
19 this state because of this map. I hear the moans  
20 when I lay my head on my pillow at night and realize  
21 that we're removing two African American seats for  
22 Congress. I hear the moans. And it's difficult for  
23 me to make it make sense.

24 And I'm just going to say it. I don't  
25 believe the Governor is a racist. Why would a

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1 racist appoint Shawn Hamilton at DEP, or John Davis  
2 at the lottery, or Shevaun Harris at DCF, or Simone  
3 Marstiller at AHCA? I will never judge a man's  
4 heart.

5 But in the political process it is fair  
6 game to talk about the impact of policy. And that's  
7 what the debates today are about, the impact of  
8 policy on a people, on citizens who you can tell all  
9 the mathematics to, who you can talk about all of  
10 the legal ramification and parameters and boundaries  
11 and foundations upon which action was taken. But to  
12 them looking at this, there is no explanation.

13 And frankly some have suggested, why do we  
14 need to show up up here when it's a fait accompli?  
15 Well, like you I showed up because I wanted to be  
16 counted. And even if I didn't debate it, I wanted  
17 my vote to speak volumes to the people that I  
18 represent.

19 I liked the maps that the Senate drew. It  
20 was a thoughtful, deliberate process. But we're not  
21 voting on what we drew. And Chairman Rodrigues, you  
22 did a great job shepherding this through. And I  
23 love the Senate. I respect every Senator in here,  
24 even the ones I disagree with on policy, because  
25 this is the place where great debate should take

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1 place.

2 Like Senator Jones said, marginalized  
3 people understand marginalization, they understand  
4 diminishment, they understand retrogression. And  
5 like Senator Gibson reminded me, to add insult to  
6 injury, when this does get appealed and challenged,  
7 we put an amendment on that directs the forum where  
8 it can be challenged.

9 So I'm down on this today. I'm down on it  
10 because I hear the moans of a people who you can  
11 cross-sect anyway you want, but they believe what  
12 they see. Thank you, Mr. President.

13 PRESIDENT SIMPSON: Thank you, Senator  
14 Rouson. We had intended to go to Farmer. Let's go  
15 to the Senator of the 7th, Senator Hutson. You are  
16 recognized in debate.

17 SENATOR HUTSON: Thank you, Mr. President.  
18 And I'll be brief, but I will say that  
19 first off I know this is an emotional time. Special  
20 Session always is. I've been a part of it with  
21 bills before, and I just want to say I appreciate  
22 all my colleagues for being cordial and collegial  
23 and respectful getting through this process. The  
24 Florida Senate is always that as a body, and  
25 appreciate you guys for that.



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1 I wanted to talk about kind of a history  
2 lesson. I think someone yesterday talked about  
3 civics 101 and kind of where we are today. And I  
4 brought this up when I was in the Senate probably  
5 before you all were here, because I -- most of you  
6 were here, because I was in a special session. But  
7 I want to bring up how we are today -- how we got  
8 here today with the previous maps. The civics  
9 lesson that I always kind of say is you have to --  
10 in order to pass a law you have to go through both  
11 sides of the legislative branch, survive the veto  
12 pen from the Governor, and then go get challenged in  
13 court and pass that challenge.

14 The maps previously that were drawn were  
15 drawn by the Supreme Court. The maps are actually  
16 laws, they're laws on the books. The Supreme Court  
17 drew those and we chose not to challenge that. So  
18 it's the first time in -- and anybody can fact check  
19 me because I'd love to be humbled on this if I'm  
20 wrong, but it's the first time that I know of in  
21 history that a Supreme Court actually passed a law  
22 that did not go through the legislative and judicial  
23 branch -- I'm sorry, the legislative and the  
24 executive branch. The judicial branch passed a law.  
25 So when we come here today and talk about

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1 this, we are going through the actual legislative  
2 process to put these maps on the books for a law.  
3 So when the Governor had talked about some of the  
4 things in the past were unconstitutional, I kind of  
5 agree with him because I don't think a judicial  
6 branch should pass a law. I just don't believe  
7 that's the case. I don't think we should ever do  
8 that. But those are the maps that were before us  
9 that became a law in past history.

10 So we're doing the right thing today in  
11 terms of going through the process. And I'm -- I  
12 want to bring that up because somebody mentioned a  
13 civics lesson in the past. And I know there's nine  
14 lawyers in the room, so I want to make sure that  
15 that's on the record that this is going through this  
16 process like we should be doing. And hopefully a  
17 future Supreme Court doesn't just draw the maps and  
18 pass a law.

19 So I want to start there, Mr. President,  
20 and make sure that that's on the record for  
21 everybody, because in the past that was a little  
22 different in how it was done. And I thank you for  
23 this. And I think, Senator Rodrigues, I know this  
24 has not been easy working through this. Working  
25 through this in the legislative session but also the

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1 special session you've had a lot to do, and you have  
2 been a champion in this issue. And proud to support  
3 you in your efforts. Thank you, Mr. President.

4 PRESIDENT SIMPSON: Thank you. Additional  
5 Senators in Debate? Senator Rodrigues, you're  
6 recognized to close on the bill. Senator Rodrigues,  
7 will you yield to Leader Book? Leader Book from the  
8 32nd, you are recognized in debate.

9 SENATOR BOOK: Thank you so much,  
10 Mr. President. And you know, we talk a lot about  
11 how we're always so proud to be in the Florida  
12 Senate, and you know, the debate today has obviously  
13 shown why I'm so proud to be a part of this body.

14 Like my colleagues I oppose this map.  
15 Three months ago we began this process in an open,  
16 transparent manner, and I was happy at that time to  
17 support a map that respected the Constitution and  
18 the Voting Rights Act and appeared to have -- we've  
19 drawn -- and that map had been drawn in good faith.  
20 Now this Legislature is allowing our constitutional  
21 duty, our power, to be hijacked by partisan interest  
22 in another branch of government. These reasons  
23 alone would be enough for me to vote against this  
24 map.

25 As my colleagues have highlighted, this map



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1 is rife with problems and likely will not pass legal  
2 muster. I vote no today because I refuse to do away  
3 with the interests of minority voters and because I  
4 insist on following the Constitution. And while  
5 we've sat here today and listened to a lot of the  
6 debate, Senator Powell, Senator Rouson, Senator  
7 Bracy, Senator Osgood, Senator Jones, I've been  
8 thinking about something that I actually came across  
9 a TikTok video about taking the lid off your jar.  
10 And I realize this map puts the top back on that  
11 jar.

12 So interesting fact, fleas -- if you have  
13 dogs, maybe you know a little bit about fleas --  
14 have the highest vertical leap based on their size.  
15 They can jump 36 inches vertically; that's pretty  
16 high. So if you caught a flea, you put it in a jar  
17 that flea could still jump 36 vertical inches but it  
18 would hit its head when it hit the top of that jar.  
19 But that flea could still jump that 36 inches.

20 What we're doing is putting the lid on the  
21 dreams of people, of minorities. Let them jump as  
22 high. Let us go. We've broken the ceiling. We  
23 should not be diminishing minority votes, minority  
24 voters, and voices across our state. Thank you,  
25 Mr. President.

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1 PRESIDENT SIMPSON: In debate, from the  
2 34th, Leader Farmer in debate. You're recognized.

3 LEADER FARMER: Thank you, Mr. President.

4 It's with a heavy heart that I rise in  
5 debate against this map. The act of redistricting  
6 is one of the most important actions that we take as  
7 a legislative body and as a republic form of  
8 government.

9 But this year we find ourselves in a very  
10 unique situation, an historic situation for all the  
11 wrong reasons. For the first time ever in our  
12 history, our Governor has chosen to insert himself  
13 into the legislative process by filing his own map,  
14 not once, as he did in regular session, but twice,  
15 as we are dealing with today. And we as a  
16 legislative body, collectively with the House of  
17 Representatives, did not file our own maps. This is  
18 unprecedented, and it's unprecedently (sic)  
19 dangerous.

20 We have separation of powers for a reason.  
21 I hold this document up often. I first got these  
22 pocket Constitutions when I participated in the  
23 Supreme Court's justice teaching program where you  
24 go into classrooms and you teach kids about the  
25 importance of the Constitution, particularly the

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1 Bill of Rights. The beauty of this document is its  
2 fluid nature. The brilliance of our founding  
3 fathers is laid to bear in this concept of  
4 separation of powers.

5           You see, we didn't want a king. We didn't  
6 want a despot to rule us. We had been there, done  
7 that, and it didn't work out too well. This was at  
8 a time where the individual rights of man -- and  
9 yes, sadly it was only men, and only white men --  
10 but the individual rights were being debated. The  
11 concept of a Bill of Rights was foreign to the  
12 entire world. We didn't get it until the Second  
13 Constitutional Convention when the colonists and the  
14 people said, "Wait a minute. It's great you set up  
15 this form of government. What about our rights? Go  
16 back and do some more."

17           So we have been there, and we knew that we  
18 did not want consolidation of all power vested in  
19 one person. But that's where we are here today.  
20 And the issue of the Governor's insertion into this  
21 process and his openly brazen admission of his goal  
22 to eliminate a minority access seat is terrifying.  
23 It should be terrifying to everyone who cares about  
24 this form of government.

25           And you know, in the history of mankind and



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1 the history of civilized society, we as Americans  
2 are still in a nascent state. It's only been 260  
3 years since we formed this great country. That is a  
4 blip in the history of this planet and of civilized  
5 societies. It's a grain of sand in the big picture.  
6 This is still an experiment in democracy.

7 In the 1860s the validity of our form of  
8 government was still being discussed and openly  
9 debated. And one commentator wrote, "It is the  
10 democratic principal of equal rights, general  
11 suffrage, and government by a majority capable of  
12 being carried into practical operation, and that,  
13 too, over a large extent of the country."

14 There was an English historian named Paul  
15 Johnson who wrote a book called "The History of the  
16 American People." And he wrote, "The creation of  
17 the United States of America is the greatest of all  
18 human adventures. No other national story holds  
19 such tremendous lessons, for the American people  
20 themselves and for the rest of mankind. The great  
21 American republican experiment is still the first  
22 best hope for the human race." And he hoped that it  
23 will not disappoint an expectant humanity.

24 It's often noted that outside observers of  
25 this American experiment tend to express a more

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1 profound appreciation for the remarkable  
2 achievements of our forefathers and the founders of  
3 this country, more so than most of us or most  
4 Americans. Burke and Telluron (phonetic), Gladstone  
5 and Tocqueville, Thatcher and Maruschen (phonetic)  
6 have all marveled at the truth of a proposition  
7 that, before the exceptional birth of freedom here  
8 in America, this concept had been considered at best  
9 problematic. The simple concept that people have  
10 the right and the capacity to govern themselves.

11 So we have brought into being not just an  
12 independent territory that sprung from the colonies,  
13 we have brought into being a great experiment, one  
14 that George Washington called ordered liberty. An  
15 experiment in which men and women would enjoy  
16 equality of rights and opportunities in the pursuit  
17 of happiness and in service to the common good.

18 Now, this is not the first time the concept  
19 of self-governance and the disagreement over how to  
20 proceed has vexed this country. We all know about -  
21 - and studied and how precariously close things came  
22 to falling apart in our Civil War. In the mid-1800s  
23 we decided as a country that we were going to deal  
24 as a nation with the concept of slavery. The  
25 concept that had, heretofore had been enshrined in

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1 our governing documents, that a person with black  
2 skin was only three-fifths of a person. Three-  
3 fifths of a person.

4 We somehow survived this Civil War where  
5 Americans killed other Americans, his incredible  
6 threat to our republic. And it hearkens to the  
7 warnings that our founders provided us. You know,  
8 in the aftermath of the insurrection last year, many  
9 United States Senators and other legislators  
10 reminded us that "we have a republic if we can keep  
11 it." The source of this quotation is a journal kept  
12 by James McHenry, who is a Maryland delegate to the  
13 Constitutional Convention. On the page where  
14 McHenry records the events of the last day of the  
15 convention, September 18, 1787, he wrote, "A lady  
16 asked Dr. Franklin, 'Well, Doctor, what have we got?  
17 A republic or a monarchy?' And Franklin famously  
18 replied, 'A republic, ma'am, if you can keep it.'"

19 Dr. Franklin was prescient. He knew times  
20 like this would come. He knew times like the Civil  
21 War would come. He knew that this was an experiment  
22 which was going to rely on the collective will of  
23 the American people to forge ahead with the  
24 principles that are the foundation of this great  
25 country - freedom, justice, equality. And nowhere



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1 are those qualities more important than in the most  
2 fundamental right of all, the right to vote.

3 It's been suggested here that the fact that  
4 African Americans have been elected to seats that  
5 are not minority access seats is proof that we don't  
6 need minority access seats. This hearkens me back  
7 to a recent comment that racism doesn't exist  
8 anymore because we elected Barack Obama President.  
9 Ladies and gentlemen, I'm sad to say racism still  
10 exists in Florida and elsewhere. It's invidious,  
11 it's hateful. It's based on hate.

12 And guess what? Six years ago a rock was  
13 kicked over, and hate spread like ants running out  
14 from under that rock. It was okay to hate again.  
15 We must protect this cherished right to vote. We  
16 cannot succumb to the notions that it's not needed  
17 anymore, that minority access is not -- protection  
18 is not needed anymore. And we survived that  
19 challenge that was the Civil War. But we were able  
20 to do so because the nation maintained one key  
21 aspect, a respect for the rule of law.

22 That's why this point in time is so scary  
23 to me, because I don't feel that respect for the  
24 rule of law. I don't see it evinced in the policies  
25 and the actions of our highest leaders, and that

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1 includes our Governor. And racial intent behind the  
2 drawings of these maps is an absolute factor that  
3 will be considered when the constitutionality of  
4 these maps is determined by the court system. So  
5 talking about the Governor's intent is absolutely  
6 relevant to this bill.

7           You know, these are dangerous and --  
8 dangerous times, yet we keep hearing about freedom,  
9 the free state of Florida, the freest state in the  
10 country. Well, I don't think that some people have  
11 a true understanding or appreciation for what  
12 freedom means. For a reminder I turn to the late,  
13 great John Lewis who said, "Freedom is not a state,  
14 it is an act. It's not some enchanted garden  
15 perched high in a distant plateau where we can  
16 finally sit down and rest. Freedom is a continuous  
17 action we must all take, and each generation must do  
18 its part to create an even more fair, more just  
19 society."

20           So in passing maps where the open-stated  
21 intent is the removal of minority access districts,  
22 we are not acting as a more fair, more just society.  
23 We are not free. Lewis also said that his greatest  
24 fear was that "one day we may wake up and our  
25 democracy is gone." I will never rest in my fight

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1 and quest to ensure that that day never happens.

2 Individual rights are not subject to a  
3 public vote. The majority has no right to vote away  
4 the rights of the minority. The political function  
5 of rights is precisely to protect minorities from  
6 oppression by majorities. And the smallest minority  
7 on the earth is the individual, the individual right  
8 to vote, to protect and grow and foster this great  
9 experiment which we continue to live. This map does  
10 none of that. It's an open oppression on minority  
11 right to vote. I cannot support it. I urge you to  
12 vote no. Thank you, Mr. President.

13 PRESIDENT SIMPSON: The Senator of the  
14 29th, Senator Polsky, is recognized in debate.

15 SENATOR POLSKY: Thank you, Mr. President.

16 I'll be very brief, and I can actually  
17 touch on something that has not been discussed yet  
18 today. There are a little over five million  
19 registered Republicans in this state. There's over  
20 five million but a little bit fewer registered  
21 Democrats in this state. There are four -- more  
22 than four million voters who are NPA or with a minor  
23 party.

24 So what is happening with this map? This  
25 map will favor Republicans in 70 percent of the



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1 districts, adding at least 2 seats to what we  
2 currently have in the breakdown right now between  
3 Democrats and Republicans. But Republicans make up  
4 36 percent of the registered voters in this state.  
5 So we are going to have an incredible imbalance in  
6 this state, and that is exactly what gerrymandering  
7 is, where the state does not represent its  
8 constituents.

9 So I want you all to think about that - 70  
10 percent of the seats will favor Republicans, and you  
11 all make up 36 percent of the registered voters. I  
12 think that speaks volumes about the intent of the  
13 bill and why we should vote against it. Thank you.

14 PRESIDENT SIMPSON: Thank you, Senator  
15 Polsky. Let's go to the Senator of the 27th, the  
16 bill sponsor, Chairman Rodrigues. You're recognized  
17 to close on SB 2-C.

18 CHAIRMAN RODRIGUES: Thank you,  
19 Mr. President.

20 And I'll begin by saying it is an honor to  
21 serve in this Senate with each of you as my  
22 colleagues. And this has been a very long road. We  
23 had our first reapportionment hearing in the first  
24 week of session back in September, and we've been  
25 working all the way through until today. Which begs

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1 the question, how did we get here today? We passed  
2 a map, we sent it to the Governor, and that map was  
3 vetoed.

4 So we're back in special session to come up  
5 with a map that we can send to the Governor that  
6 will be signed. And my friend and colleague from  
7 the 7th District is absolutely correct. All of us  
8 were elected to the Senate in a district that was  
9 drawn by the court. Because in the last  
10 redistricting cycle the court tossed the Senate map  
11 and the congressional map, and the court drew those  
12 districts.

13 As a Legislature we have one responsibility  
14 in 9 out of 10 sessions, and two responsibilities in  
15 the 10th. Nine out of 10 it's to pass a balanced  
16 budget. That is the only thing we do. We have  
17 fulfilled our constitutional obligation. Every 10  
18 years it's our responsibility to pass a balanced  
19 budget and to pass a reapportionment plan for the  
20 Senate, the House, and the U.S. Congress. Those are  
21 our duties.

22 And so the choice before us is: do we pass  
23 a map that fulfills our constitutional  
24 responsibility, or do we declare an impasse and  
25 leave it up to the courts for them to draw our map

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1 again? Well, in this case it would be they would  
2 draw our congressional map again. I think we should  
3 fulfill our duty and pass a map.

4 Now, I've heard a number of things through  
5 debate, and I listened to each of the debaters. And  
6 I'm going to hit or touch on a number of the points  
7 because I think the record should be clear. I've  
8 heard a number of objections that have said the  
9 Legislature is abdicating its responsibility by  
10 allowing the Governor to have this role in  
11 redistricting. I disagree with that. We would  
12 abdicate our responsibility if we failed to pass a  
13 map and allowed the courts to do it.

14 The Governor has always had a role in  
15 redistricting, not just Governor DeSantis, but every  
16 Governor of the State of Florida. Because no  
17 reapportionment plan is complete -- or a  
18 congressional map -- until the Governor has signed  
19 it. Which means if a Governor does not sign that  
20 map, it does not take effect.

21 Now, this Governor has been more active  
22 than some which begs the question, what is unique  
23 here? And what I would submit is this. This  
24 Governor actually has people on staff who have  
25 experience in drawing maps. The person that drew



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1 the map that is before us -- which is a compromise  
2 map, including districts that we drew, that our  
3 staff drew, districts that were drawn in the House,  
4 and districts that they drew themselves -- is Alex  
5 Kelly, who is the Deputy Chief of Staff. That's on  
6 the record.

7 But what hasn't been elaborated on is that  
8 Alex Kelly has experience in drawing maps. He was a  
9 former staff director for the Florida House of  
10 Representatives during the last redistricting cycle.  
11 He has the ability to draw maps because the House  
12 map that he drew was the only map that survived  
13 judicial review during the last redistricting cycle,  
14 and the only map that was implemented as it was  
15 passed by the Legislature. And then finally, he's  
16 qualified.

17 So what I would say is this. It's not like  
18 the Governor put -- or had his staff put a map of  
19 Florida on the board and just randomly put districts  
20 together. He is a qualified staffer who has been  
21 through this process post-fair districts amendment,  
22 and drawn a map that has survived judicial review.  
23 And the Governor gave instructions that he felt our  
24 map did not resolve a conflict between the Florida  
25 Constitution and fair districts and the U.S.

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1 Constitution on the equal rights -- equal protection  
2 clause of the 14th Amendment. And he directed his  
3 staff to go draw a map that reconciled that  
4 difference, and that's what we have here before us.

5 I've also heard objections to the amendment  
6 we did yesterday. It's important to note that  
7 nothing in the amendment -- and I want to thank my  
8 friend and colleague -- my good friend and colleague  
9 from the 20th District for the debate he offered and  
10 jumping in and answering questions on that  
11 yesterday, where he quoted from the Florida Supreme  
12 Court two decisions, one in the '40s, one in the  
13 '70s, that has said it is judicial doctrine for  
14 challenges to state agencies or government actions  
15 to be made here where the cause of action was  
16 created by the state agency or the state government.  
17 That is what the Florida Supreme Court says is  
18 right. That is the current judicial practice.

19 Now, we put that amendment in there to make  
20 it clear that the state is not giving consent at all  
21 for any challenges to state law to be heard in  
22 federal court. That can only be done if the state  
23 consents. And with this amendment we're making it  
24 clear that we are not giving that consent. What  
25 this does is nothing to prevent any individual who

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1 believes this map violates their civil rights from  
2 going into a federal court and having that case  
3 adjudicated in federal court. Nothing prohibits  
4 that. All we've done is codify current judicial  
5 doctrine.

6 I've heard objections that say the current  
7 map ignores Tier 1 and it only focuses on Tier 2. I  
8 don't believe that's correct. You go back and you  
9 look at Tier 1, the criteria of Tier 1 is that  
10 districts have to be contiguous. These districts  
11 are contiguous. That you cannot favor an incumbent.  
12 Nobody has alleged that this map favors an  
13 incumbent. In fact, the incumbents are often drawn  
14 out of their districts as it currently resides -- as  
15 they currently reside. And it cannot favor a  
16 political party. The testimony from the map drawer,  
17 who was deposed during the last round of litigation  
18 after having drawn the House map, is that he did not  
19 draw this map with any political data or political  
20 intent. That was his experience in the past. That  
21 is what he has testified that he has done this time  
22 as well.

23 So what is the question when it comes to  
24 Tier 1? The current -- the question is this. And  
25 this is also a statement that was made that I need



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1 to correct. One of the statements was we have taken  
2 away two minority majority districts. That is  
3 factually incorrect. The current map that was given  
4 to us by the court has five minority majority  
5 districts, the current -- the map that we're  
6 operating under today. This map before us today  
7 that we're going to vote on also has five majority  
8 minority districts.

9 Now, CD 5 and CD 10 will no longer have the  
10 protection that they had, but neither one of those  
11 were minority majority districts. One was a  
12 minority effective district, CD 5; and one was a  
13 minority opportunity district, CD 10. Regarding  
14 Congressional District 5, the Governor's office  
15 noted that in order to be in compliance with Section  
16 2 of the Voting Rights Act it must satisfy the first  
17 Gingles precondition. Gingles is a U.S. Supreme  
18 Court case specific to the Voting Rights Act. That  
19 precondition is that it must have a minority  
20 population sufficiently large enough to constitute a  
21 majority of the voting age population in a  
22 reasonably compact geographic area. That's what the  
23 law says, the U.S. law, federal law.

24 The position of the Governor's office is  
25 that because CD 5 cannot be drawn as a majority

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1 minority district with a black voting age population  
2 of greater than 50 percent in any configuration, let  
3 alone one that is reasonably compact, that race  
4 therefore cannot be used to justify the  
5 configuration of the district. It was also their  
6 position that it never should have been drawn that  
7 way in the first place by the previous court. And  
8 so therefore there is no obligation to redraw it in  
9 the current manner that it exists.

10 That is a question where there is a tension  
11 between what is in the Florida Constitution and how  
12 the U.S. Supreme Court has interpreted the Voting  
13 Rights Act. That conflict is going to have to be  
14 resolved by a court. We're not the ones that can  
15 resolve that conflict. The Governor can't resolve  
16 that conflict, and the Attorney General can't  
17 resolve that conflict. That is going to have to be  
18 adjudicated.

19 When it comes to CD 5 -- I'm sorry, CD 10 -  
20 - we're going to the second district. This was the  
21 minority opportunity district. In the map drawn by  
22 the Governor's office, CD 10 was not considered to  
23 be a district protected from diminishment for a  
24 different reason. In this case they adopted the  
25 House position that based on the functional analysis

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1 of the benchmark CD 10, black voters' share of the  
2 Democratic primary turnout had fallen below 50  
3 percent over the course of the decade since the  
4 district had been implemented.

5 And as we discussed yesterday, it went from  
6 53.78 percent in 2012 down to 42.53 percent in 2020.  
7 In determining whether or not a district performs  
8 for a minority voters' candidate of choice, the  
9 level of primary control based on voter turnout is  
10 evaluated. The House took a different position on  
11 this than we did. The House determined because of  
12 the downward trend of black voters' control of the  
13 Democratic primary, CD 10 was not subject to the  
14 non-diminishment requirement.

15 We in the Senate took a different view.  
16 Our view was that to the extent that any opportunity  
17 did exist in a benchmark district, we would attempt  
18 to recreate it at a similar level. That was what  
19 was in the maps that we did.

20 Yesterday the Governor's office articulated  
21 in committee that because the House and Senate did  
22 not agree on the status of the district, that there  
23 was no clear and compelling state interest to redraw  
24 it that way so that it would perform for the  
25 minority candidates -- candidate of choice. The



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1 minority voters' -- I'm sorry -- candidate of  
2 choice.

3           Once again, that is a question that will  
4 ultimately be resolved in litigation. But what I  
5 would say is if you look at this, this map checks  
6 off all the Tier 1 boxes where there is no conflict  
7 alleged between the Florida Constitution and the  
8 U.S. Constitution. And what this map does do is it  
9 improves the Tier 2 metrics.

10           Now, I touched on this yesterday, but it's  
11 important to ensure that this is indeed on the  
12 record. This current map improves the convex hull  
13 to .81. In the map that we did in the Senate, our  
14 convex hull was .80. It retains the same Polsby-  
15 Popper score of .43 and it improves the Reock ratio  
16 from .46, which is what we drew, to .47. The number  
17 of counties kept whole moves from our original 48 to  
18 50. The number of cities kept whole moves from 368  
19 in our original map that the Senate did to 396, a  
20 substantial increase. By all of the Tier 2 metrics  
21 this map is as good as or better than the map that I  
22 was so proud to present to you the first week of  
23 September that we had come up with.

24           And the one thing I'll make clear, because  
25 it needs to be made clear, is that the map we came

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1 up with, which isn't statistically as good as this  
2 map in front of us today, was a significant  
3 improvement over the map that the court imposed in  
4 the last redistricting cycle. So we took that which  
5 the court did, which was given to them by the  
6 plaintiffs who overturned the maps that the  
7 Legislature did, and we improved upon it.

8 And now before us today is a map drawn by  
9 the Governor's Deputy Chief of Staff incorporating  
10 concepts from us and from the House that even  
11 improves upon that. I believe that this is indeed a  
12 constitutional map by looking at the metrics.

13 I'm going to read a quote here that I saw  
14 way back in the beginning during committee weeks  
15 that I filed away for an appropriate time. And the  
16 quote comes from a University of Florida political  
17 science professor. You may have heard of him. His  
18 name is Michael McDonald. He was one of the expert  
19 witnesses used by the plaintiffs to get the maps  
20 tossed during the last redistricting cycle. He  
21 said, and I quote, "As I like to say, and people  
22 don't realize this, there are more redistricting  
23 plans for a state like Florida than there are courts  
24 in the universe." This is one of those plans.

25 If you go back and look at the litigation,

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1 the Florida Supreme Court said, when they were  
2 tossing the maps, that the duty is to pass a  
3 constitutional map. Nothing more, and nothing less.  
4 And that is what we are doing here today. And so  
5 with that I would ask for your favorable support.  
6 Thank you.

7 PRESIDENT SIMPSON: Thank you. The  
8 Secretary will unlock the Board, and Senators will  
9 proceed to vote. Lock the board and record the  
10 vote.

11 THE SECRETARY: 24 yeas, 15 nays,  
12 Mr. President.

13 PRESIDENT SIMPSON: Show the bill passes.  
14 Read the next bill.

15 THE SECRETARY: Senate Bill 4-C, a bill to  
16 be entitled An act relating to independent special  
17 districts.

18 PRESIDENT SIMPSON: Senator Bradley, you  
19 are recognized to explain your bill.

20 SENATOR BRADLEY: Thank you, Mr. President.  
21 This is the independent special district  
22 bill that we discussed yesterday.

23 PRESIDENT SIMPSON: Are there amendments?

24 THE SECRETARY: None on the desk,  
25 Mr. President.



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1 PRESIDENT SIMPSON: Is there debate?

2 Senator Polsky, you're recognized in debate.

3 SENATOR POLSKY: Thank you, Mr. President.

4 This is not the first time this Democrat or  
5 the Democrats in general have stood up in favor of  
6 private businesses to fight Draconian, intrusive,  
7 overreaching bills brought by this Legislature.  
8 Like cruise ships and social media platforms and  
9 companies who provide diversity training or, God  
10 forbid, vaccine mandates, the Disney corporation is  
11 being attacked for expressing support for its many  
12 LGBTQ employees and customers.

13 I don't know what happened to all of you,  
14 to the Republican party in general, with respect to  
15 allowing private businesses to run themselves.  
16 Isn't that the definition of capitalism? But when  
17 this cross this Governor they will be punished.  
18 This is exactly the definition of authoritarianism.  
19 How do you stop this tyranny? You exercise the  
20 separation of powers and you stop a Governor from  
21 going too far, of using his power to punish and not  
22 govern.

23 The Senate, this upper chamber, has a duty  
24 to stop this ill-thought out, rushed, and likely  
25 illegal punitive measure from becoming law. There

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1 is no doubt this bill is not accomplishing what it  
2 is purported to do. If you truly believe  
3 independent special districts need to be reviewed,  
4 then review them. This is why we so often turn to  
5 studies and we make thoughtful decisions on billion-  
6 dollar issues. We don't rush them with no testimony  
7 and admittedly not even speaking to stakeholders in  
8 a matter of two days with no notice during a special  
9 session about redistricting.

10 The bill says the special districts will be  
11 dissolved. There is no process in the bill for  
12 review, as was stated. We also have Rep. Fine  
13 admitting that if you mess with him or the Governor,  
14 you will get punished. Are we really making this  
15 enormous decision based on spite?

16 If you vote for this bill today you are  
17 simply agreeing to revenge governance and you are  
18 engaging in the most brutal form of cancel culture  
19 we've ever seen. And here we go again with the  
20 taxpayers having to pick up the tab of \$600-plus per  
21 hour for lawyers to clean up these illegal messes.  
22 And what's next? The Governor threatened the board  
23 of directors of Twitter yesterday. What bill will  
24 magically appear in our next special session on  
25 property insurance, an issue we truly need to fix,

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1 that will punish Twitter?

2 Is this bill helping Floridians? Are we  
3 making wise, Sane, thoughtful legislation here that  
4 will help our constituents? Ask yourself that when  
5 you vote. Ask yourself why you are here as a  
6 Senator. If you are being honest about it, you will  
7 bill -- excuse me, you will vote no on this revenge  
8 bill. Thank you.

9 PRESIDENT SIMPSON: Thank you. Are there  
10 any additional debate? Senator Ausley, you're  
11 recognized in debate.

12 SENATOR AUSLEY: Thank you, Mr. President.  
13 And you know, I just don't understand what  
14 we're doing here. The initial reason for coming  
15 back is bad enough, and we've dealt with that in the  
16 last couple of hours. But now we're adding insult  
17 to injury by voting on something today that was  
18 proposed yesterday, going after a private business  
19 that has literally made our state what it is. All  
20 because they've taken a position that the Governor  
21 disagrees with. Oh, and by the way, we're going to  
22 take out five smaller independent districts while  
23 we're at it just to make it look better.

24 Now, we've heard the stated reasons for  
25 this. We haven't had meaningful legislative



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1 oversight in 50 years and we need a periodic review.  
2 And we've been assured that these districts can come  
3 back next year and be evaluated and reinstated if  
4 they can successfully make their case. So in the  
5 case of the Reedy Creek Improvement District we know  
6 what that will entail. This is kind of like parents  
7 putting their kids on restrictions. If you clean up  
8 your act, apologize, say you're sorry, and agree to  
9 change your behavior, maybe you'll get your phone  
10 back or your other privileges. And if not, who  
11 knows?

12 But I am concerned about the fact that  
13 we're also talking about these five smaller  
14 districts that have just been caught up in this,  
15 these districts that deal with economic development,  
16 water and sewer, and libraries in our very small  
17 counties. I am most familiar with the two that are  
18 in my district, the Hamilton County Development  
19 Authority and the East Point Water and Sewer  
20 District. The Hamilton County Development Authority  
21 helps existing businesses in Hamilton County, which  
22 is a county of 14,000 people, helps that county  
23 think about growing and attracting new investment  
24 and industry. It has a dedicated source of revenue  
25 and a number of current joint projects underway with

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1 the county. The East Point Water and Sewer District  
2 serves 1100 customers in Franklin County.

3 I have spoken to representatives from the  
4 county government and the independent districts in  
5 both counties, and they are very concerned about how  
6 this bill will impact their ongoing projects, their  
7 current customers, and the budgets of these small  
8 counties and authorities. No matter what, they're  
9 going to have to hire lobbyists to work the  
10 legislative process to make their case and advocate  
11 for reinstatement.

12 Here's the deal. As Senator Polsky just  
13 said, if we have legitimate concerns about the need  
14 for meaningful legislative oversight, we have a way  
15 to do this. We could ask for a report, we could do  
16 a joint legislative committee study. There are many  
17 things we could do. We could come back in session,  
18 just as we have done in previous years, recommend  
19 changes, recommend no change, or recommend  
20 dissolution based on the fact-finding in the report.

21 With all due respect, this is not about  
22 meaningful legislative review. This is punishment,  
23 it is political theater, and we are better than  
24 this.

25 PRESIDENT SIMPSON: Thank you. Is there

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1 any additional -- oh. Senator Pizzo, you're  
2 recognized in debate.

3 SENATOR PIZZO: Thank you, Mr. President.  
4 And I will be brief, relatively speaking.

5 I will get stabbed with a spoon and a long  
6 drive home with our Chief of Staff if I don't  
7 mention a couple things for the record. Florida  
8 Statute 189.068, oversight review process for a  
9 special review by a 189.065(1), this section applies  
10 to special districts if the special districts fail  
11 to file required reports. We've heard for 50-plus  
12 years that Disney has always been compliant. The  
13 independent special district performance review  
14 under 189.069(5), and finally 189.031(3)(b), that a  
15 county itself can create its own special district.

16 Senator Brandes said something last night  
17 off the floor. He said, "It's not that Disney's too  
18 big to fail; it's too big to assign." And really  
19 what that means is -- and I -- this is not to  
20 provoke a reaction or anything, other than nothing's  
21 going to happen. Everyone in this room knows this  
22 is not going to happen.

23 I'm just tired of missing my kid's baseball  
24 games for stuff that we know is not going to happen.  
25 Nothing's going to happen on 1808 with immigration.



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1 Nothing's going to happen on 168 from 4 years ago.  
2 Nothing's going to happen on -- or never did happen  
3 on critical race theory. None of my kids' teachers  
4 were teaching anything about sexual orientation in K  
5 through 3. It's not happening. This is not going  
6 to happen. Two cities and two counties are not  
7 going to assume a billion dollars in debt. We're  
8 not going to do that. It's not going to happen.

9 I'm excited to see all of you in a couple  
10 weeks when we do things that actually mean something  
11 to our constituents like property insurance. And I  
12 bet you we get condo reform too. I'm excited for  
13 that. That's why I serve. It's very, very hard to  
14 speak to five-year olds or 50-year olds about what  
15 we're doing here when we're up here for a special  
16 session being spoon-fed three bills that none of you  
17 wrote, that none of you had any input on, and that  
18 have to pass. I get it. I get it.

19 But one of the biggest concerns I had last  
20 year -- and you'll remember this and you'll recall  
21 -- was the buildup -- basically the stalemate of 10s  
22 of 1000s of cases caught up in the civil process.  
23 Not just criminal court, but also the civil court.  
24 The reason why that was so important, they were  
25 seeking \$12.5 million dollars in funding over three

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1 years in Senator Perry -- in Chair Perry's committee  
2 was because companies look to how quickly things are  
3 resolved in a legal atmosphere when they're deciding  
4 and determining where to set up either a satellite  
5 location or a headquarters.

6 That's part of the sort of quality of life  
7 assessment for the company, whether or not -- not  
8 only about education, location, climate, et cetera,  
9 but also how swiftly and promptly issue and  
10 conflicts can be resolved. And I sort of urged many  
11 of you to adequately fund that to clear that.  
12 Remember, in circuit court I think we're now at a  
13 \$30,000 or more threshold to be in circuit court,  
14 right? So if there were a thousand -- just a  
15 thousand cases, at minimum there was \$30 million in  
16 dispute - 10,000, \$300 million. And likely it was  
17 in the billions that were sitting there, proceeds  
18 not distributed, disputes not resolved. That's  
19 huge. That's really critically important to the  
20 free state of Florida and to be able to resolve  
21 that.

22 And when a company comes out because  
23 they're worried more about their employees than they  
24 are about the cancel culture that is, I don't know,  
25 politics today, we get punitive. You know what

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1 bothers me the most? The penance that Senator  
2 Bradley has to pay right now because she voted no on  
3 don't say gay. That's all this is.

4 And I'm sorry for you, I really am, that  
5 you're in this spot. But I'll treat you and your  
6 family to Disney World if you want to go.

7 (Laughter)

8 You'll vote yes, and it's -- I guess it's  
9 okay. Because guess what? Nothing's going to  
10 happen. Absolutely nothing is going to happen.  
11 This is not going to go forward. It's not going to  
12 happen. So vote how you were told to vote, and I'll  
13 vote how I know I should vote. Thank you.

14 PRESIDENT SIMPSON: Is there any additional  
15 debate? Senator Cruz -- oh, I'm sorry. Senator  
16 Torres is next. Senator Torres, you're recognized.

17 SENATOR TORRES: Thank you, Mr. President.

18 Oh, Lord. While this bill impacts six  
19 independent districts in the state, Reedy Creek  
20 Development District, the largest and most  
21 controversial one, is located in my Senate district,  
22 is home to Walt Disney World. Reedy Creek directly  
23 employs nearly 400 first responders who serve as  
24 firefighters EMT. They have an additional 400  
25 employees who operate and maintain electrical, water



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1 and sewage services. Additionally, there are 2,000  
2 private contractors with thousands of employees who  
3 work in the district. The district has bonded and  
4 incurred nearly one billion dollars of debt service,  
5 and the dissolution of the district -- of this  
6 district would result in transferring that debt to  
7 Orange and Osceola Counties, which I represent.

8 No one discussed these changes and their  
9 financial responsibilities the counties would have  
10 to assume before proposing this change. There has  
11 been no economic impact analysis of our tourism and  
12 industry or sales tax revenue could be reduced due  
13 to this change.

14 I think we all know that this bill was  
15 created by the Governor and not by the bill sponsor  
16 who filed it yesterday, which is why my criticism is  
17 not aimed at the sponsor. This bill is punitive  
18 punishment for political statements Disney has made  
19 opposing decisive policies supported by this  
20 Governor. This bill is a knee-jerk reaction and a  
21 political stunt which is short-sighted and not well  
22 thought out.

23 Disney will not be punished, but the  
24 thousands of workers will be. The taxpayers of  
25 Orange and Osceola counties will be -- and all

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1 Floridas will be punished if our numbers of economic  
2 industry tourism is negatively impacted by this  
3 bill. For this reason I ask my colleagues to vote  
4 no on this unnecessary bill. Thank you,  
5 Mr. President.

6 PRESIDENT SIMPSON: Thank you. Senator  
7 Cruz, you are recognized in debate.

8 SENATOR CRUZ: Thank you, Mr. President.

9 Last week I had a public forum on  
10 affordable housing, or I perhaps should say  
11 unaffordable housing and unaffordable rent. And we  
12 kind of put out a Facebook and said, "If you have  
13 issues, come share your story." And three young  
14 people joined us and were kind enough to tell their  
15 story.

16 But I'm still haunted by one young woman  
17 who told her story, which was that she was an event  
18 planner before COVID and made a very nice living.  
19 But COVID hit and she lost her job, as you can  
20 imagine. And she was out of work for a little while  
21 and then found a job at the county at nearly half of  
22 what she was making. And then her apartment complex  
23 went up \$500 a month last month on rent. And as she  
24 cried through her story, she said that she sold  
25 everything in her apartment because she wasn't sure

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1 that she could afford a storage container or  
2 whatever. And that she was living on a friend's  
3 couch, and the friend and her made a deal that for  
4 six months she could stay there. And she was  
5 crying. She had no family, she had nowhere to go,  
6 and she was doing the best she could.

7 And my heart just broke for all three of  
8 these young people. And I thought, "What are we  
9 doing for these folks? Why aren't we addressing  
10 this issue?" Instead, I'm here today for several  
11 days, and I am addressing issues on how we can hurt  
12 a major corporation that's been a damn good neighbor  
13 in Florida.

14 So I look at this like a one-way street,  
15 you know. It's like, there's Disney, a good  
16 neighbor, probably a member of associated  
17 industries, maybe a member of the Florida Chamber,  
18 there for us every time we put our hand out every  
19 time we ask them to host an event, a fundraiser.  
20 Every time we need Disney, they're there. The  
21 happiest place on earth has made us all very happy.  
22 Yet one comment, one comment has turned -- it has --  
23 they're trying to taint the reputation of Disney, my  
24 opinion of a place for families' happiness.

25 For a single mom who saved up so that we



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1 could go to Disney when it opened, when they had  
2 these little key tickets, all those memories are now  
3 tainted because somebody said something that our  
4 Governor didn't agree with.

5           So what is the message here, guys? We  
6 should be really, really worried about the message  
7 is that unless you are a conservative corporation  
8 that dare not stand up for the -- perhaps the people  
9 that you work for. Or you know, you owned a  
10 company. You can say what the heck you want to say.  
11 Why are we putting our knee on the neck of the  
12 mouse? It's ridiculous. It's nothing short of  
13 extortion, it's nothing short of bullying. And  
14 that's the reason I won't be voting for this bill  
15 today.

16           PRESIDENT SIMPSON: Leader Farmer, you're  
17 recognized in debate.

18           LEADER FARMER: Thank you, Mr. President.

19           This is going to sound a little redundant  
20 to the debate on the debate on the last bill. But  
21 once again, we find ourselves in a very dangerous  
22 position and being asked to take a very dangerous  
23 act by someone who doesn't really respect the  
24 foundations of this government.

25           Once again we are dealing with a candid

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1 admission and statement as to the intent behind this  
2 legislation. It's to punish dissent. Dissent that  
3 arose from one of the myriad of bills we dealt with  
4 this past session that were just part of a culture  
5 war, the don't say gay bill, a bill that ignited the  
6 passion and fears of so many of our fellow  
7 Floridians, a bill that after it was passed the CEO  
8 of Disney dared to come out in opposition.

9 Now, many of us were frankly disappointed  
10 that it took that CEO and Disney that long to weigh  
11 in. He himself is gay. So many employees that make  
12 Disney the magical place it is, the most magical  
13 place on earth, are gay. And there was tremendous  
14 disappointment that they weren't stuck up for before  
15 that bill passed. But better late than never,  
16 Disney came out and expressed its deep concerns  
17 about this bill. And the bill once again shows a  
18 disregard for the rule of law, as does this bill  
19 we're about to vote on today.

20 Let's look at the process that's brought us  
21 here in record time. This bill was added to the  
22 call for this session two days ago -- two days ago -  
23 - independently by the Governor himself. The bill  
24 wasn't filed until yesterday. And then in rapid  
25 succession it was in a committee, and then it was

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1 here on the floor, and it got rolled into second  
2 reading. That could have been stopped, but our  
3 minority caucus chose not to. And so we just helped  
4 and we enabled and we expedited.

5 And you've got to ask yourself, well, why  
6 is it so important? What's the compelling need for  
7 this bill and to rush it through with so little  
8 input, so little study? And we went through so much  
9 of this. Our staffs did amazing work, my staff.  
10 Thank you for gathering the information they were  
11 able to gather in such a short period of time.

12 There is no question as to the economic  
13 impact of this legislation, over a billion dollars  
14 in debt service on the bonds that are issued by  
15 Reedy Creek. The myriad of services they provide --  
16 firefighting, road maintenance, water, drainage  
17 districts, habitat, ecological matters -- the price  
18 tag is huge.

19 Why didn't we study all of that? Well,  
20 because we didn't really care. And I've got to stop  
21 saying we. Those who support and push for this bill  
22 didn't really care. And if you don't believe me,  
23 just look at that timeline. Don't say gay happens,  
24 Disney objects, hostile communications and social  
25 media battles ensue between Disney and the Governor



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1 and his communications team, the special session is  
2 called, and then a day before we get here this gets  
3 added. That's indicative of what the intent is  
4 behind this.

5 And we showed no respect for the rule of  
6 law by violating statutes that are already on these  
7 books. There's no question that under current law  
8 when this special district government is dissolved,  
9 the liabilities and indebtedness will be assumed by  
10 the local general purpose government. That will  
11 happen immediately upon the passage and signing of  
12 this bill.

13 The notion or argument that this can be  
14 done next year is frankly specious, and it is of no  
15 legal account. Without an automatic reintegration  
16 of this district, it is dissolved by this  
17 legislation. The whims of a future legislative body  
18 cannot be relied upon to counter the legal reality  
19 that the Reedy Creek District will be destroyed and  
20 will no longer exist. And then all of that debt,  
21 which again we have not begun to get our hands  
22 around, will be assumed.

23 Why do we do that? Again, if it wasn't for  
24 the political motivation, wouldn't we have done this  
25 in a regular session? Wouldn't we have studied all

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1 of these economic factors and figured out what's the  
2 succession plan? How are these two counties, and  
3 maybe even a portion -- only a portion of these two  
4 counties get to deal with this tremendous debt.  
5 This is the worst way to legislate and govern. I  
6 said it yesterday, we're shooting first and we're  
7 going to ask questions later. That's not  
8 responsible government.

9 Disney dared to say the emperor has no  
10 clothes, and the term emperor is especially  
11 appropriate here because this is being pushed by one  
12 who seeks to be an autocratic despot and not just  
13 what he is, the head of one of our three branches of  
14 government.

15 The ironies here abound. Will every  
16 employee of Disney now be entitled to a Hope  
17 Scholarship due to this bullying? The Governor's  
18 party has rose to power, it largely due to the  
19 effect of the Citizens United case which said that  
20 corporations are people, yet here he is taking away  
21 the rights of this corporation. Ironies abound in  
22 the free state of Florida where there is no real  
23 free speech and teachers can't counsel young people  
24 who are dealing with their own identity or have the  
25 reality of two moms or two dads.

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1           Keep it real. Let's call this what it is.  
2   It's the punitive, petulant, political payback to a  
3   corporation that dared to say the emperor has no  
4   clothes. But if they behave this next election  
5   cycle, maybe we'll put it all back together. This  
6   is bad legislation, this is bad process, this is bad  
7   for our republic, this is counter to everything  
8   we're supposed to stand for and believe in as not  
9   just Floridians but Americans. Another dark day in  
10   this chamber. Vote no. Make sure you can sleep  
11   tonight. Thank you.

12           PRESIDENT SIMPSON: Is there any additional  
13   debate? Any additional? Oh. Senator Berman,  
14   you're recognized.

15           SENATOR BERMAN: Thank you, Mr. President.

16           I feel like I'm living in an alternative  
17   reality. We came up here to do our once in every  
18   ten year constitutional duty, and at the 23rd hour,  
19   9:27 a.m. yesterday morning we get notice that we're  
20   going to get a bill requiring the dissolution of the  
21   Reedy Creek's Independent Special District as well  
22   as five other districts that are unfortunately swept  
23   up in this. What have these districts done wrong?

24           We heard yesterday that they might have to  
25   show a public purpose and that they have legislative



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1 oversight. There's nothing in this statute -- in  
2 this law -- bill proposed that requires this. It  
3 simply says they will dissolve effective next June,  
4 and then it's says they can be reconstituted.  
5 That's not saying we're going to review this, it has  
6 to have a public purpose, that we want to look into  
7 legislative oversight. This is just an arbitrary  
8 political attack job on the Disney Company.

9 In fact, when you do dissolve an  
10 independent special district it has to be done by  
11 the electors of the -- or the people in the  
12 district. The fact that we can say notwithstanding  
13 we're going to ignore this is constitutionally  
14 unsound and creates a very bad precedent that no  
15 court should support. There's been no thought, no  
16 analysis, no economic impact discussion to how this  
17 will affect Lake Buena Vista, Osceola County, Orange  
18 County, as well as the other special districts. So  
19 why are we rushing this through to only please the  
20 Governor?

21 You know, I feel like there is a part of  
22 this bill which is, look over here, don't look at  
23 the shiny object that we're -- that is in the  
24 middle. We came up here to discuss a very important  
25 constitutional requirement of redistricting, and

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1 then they put this other object over here. And  
2 we're hearing about banning math books, and today  
3 there's discussion about treatment for transgender  
4 youth. It seems like we're always throwing out  
5 these other issues, so many different issues, that  
6 we're not focusing on what we as a Legislature need  
7 to do.

8 I just did all my -- I've been going to all  
9 my cities, now that we're home, and giving them a  
10 report. And I tell them that we didn't do the  
11 things as much that affect our pocketbooks because  
12 we spent so much time on cultural issues. We didn't  
13 do affordable housing. We gave a very minor part of  
14 the budget to affordable housing. We didn't do  
15 property insurance, and I'm glad we'll be back for  
16 that. We barely addressed inflation. Those are the  
17 things that matter, not all these crazy cultural  
18 issues that we're seeing all around through this  
19 process.

20 You know, we know that it's going to be  
21 really hard for these companies -- for these  
22 independent districts. Because how can a business  
23 that be threatened to be dissolved and then allowed  
24 to be reconstituted continue to have their business  
25 operations? They're not going to be in a very good

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1 position what -- because of this legislation. And  
2 this is just the Governor trying to throw out all  
3 these different issues and make Floridians not focus  
4 on all the problems that we have that we're not  
5 actually addressing here.

6 So I don't understand what happened to the  
7 separation of powers. I feel like we have become --  
8 this Legislature has become the puppet to the  
9 Governor, and I think it's political theater at  
10 worst. And I hope that we don't pass this  
11 legislation.

12 PRESIDENT SIMPSON: Thank you. Is there  
13 any additional debate? Senator -- Leader Book,  
14 you're recognized.

15 LEADER BOOK: Thank you, Mr. President.

16 And I'm going to be very, very brief.  
17 We've heard a lot of my -- from my colleagues about  
18 bonds and the issues surrounding Reedy Creek. What  
19 I would just like to say as a mom who goes to Disney  
20 quite a bit, I think some people just need to "let  
21 it go, let it go."

22 (Laughter)

23 PRESIDENT SIMPSON: Thank you, Leader Book.  
24 Is there any additional debate? Senator Bradley,  
25 you're recognized to close on your bill.



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1                   SENATOR BRADLEY:    Thank you,  
2   Mr. President.

3                   And I will be brief.  Members, we have  
4   talked a lot today about the appropriate role for  
5   the Legislature and what our proper role is.  And  
6   today we put in place a process for the Legislature  
7   to exercise those very appropriate oversight  
8   functions.  It's a process that's been swift, but  
9   it's a bill that is incredibly important and that I  
10  am proud to sponsor.

11                  Remember, the districts that are affected  
12  have not had any legislative oversight in over 50  
13  years.  And some of the districts have incredibly  
14  sweeping powers such that a single company could  
15  start construction on a nuclear reactor.  At any  
16  other time that would not be controversial to say we  
17  need to stop and have a little oversight over this  
18  process.  That's what this bill does.

19                  We have a year.  We have local governments  
20  who will be involved.  And I assure you we will have  
21  a state Legislature that is involved to make sure  
22  that the parade of horrible that has been described  
23  does not happen.  And we have a Senate President who  
24  cares about every corner of this state, and if  
25  further study is needed he will be on the front

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1 making sure that that happens. So I appreciate your  
2 support. This is a good bill. Thank you.

3 PRESIDENT SIMPSON: Thank you. The  
4 Secretary will unlock the board, and Senators will  
5 proceed to vote. Senator Stewart? Lock the board  
6 and record the vote.

7 THE SECRETARY: 23 yeas, 16 nays,  
8 Mr. President.

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

11 THE SECRETARY: Senate Bill 6-C, a bill to  
12 be entitled An act relating to social media  
13 platforms.

14 PRESIDENT SIMPSON: Senator Bradley, you're  
15 recognized to explain your bill.

16 SENATOR BRADLEY: Thank you, Mr. President.  
17 This is the social platform -- social media  
18 platform bill that we discussed yesterday.

19 PRESIDENT SIMPSON: Are there amendments?

20 THE SECRETARY: None on the desk,  
21 Mr. President.

22 PRESIDENT SIMPSON: Is there any debate on  
23 the bill? Senator Pizzo, you're recognized in  
24 debate.

25 SENATOR PIZZO: Thank you, Mr. President.

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1 Now that we've gotten past the bill that  
2 has to do with Disney, let's talk about this bill.

3 (Laughter)

4 What? Sorry. Sort of what I'd like for  
5 you to address in close, if you would, is there was  
6 something found to be infirm in an early ruling on  
7 litigation as it relates to a bill last year that I  
8 think Senator Rodrigues carried. And this would --  
9 and I think -- if I understand it from you yesterday  
10 in answering some of the questions, this would seek  
11 to remedy some infirmity found in current or open  
12 litigation as it relates to a bill.

13 But if you would address how that will cure  
14 or be a remedy to some particular part of that  
15 legislation -- that litigation about the  
16 legislation. But more broadly, what else have we  
17 done for the rest of the bill from last year that  
18 may have found to have been infirm, and why are we  
19 going back to sort of cure something that may be at  
20 its foundation infirm?

21 And if you could do an amazing job at that  
22 and make some sense of this, I would consider  
23 changing my vote. But right now it's no.

24 PRESIDENT SIMPSON: Is there any additional  
25 debate? Seeing none, Senator Bradley -- oh. Leader



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1 Farmer, you're recognized in debate.

2 LEADER FARMER: Free speech. Free speech.  
3 First Amendment, most important one. We keep doing  
4 this. We keep trampling all over the greatest form  
5 of government. We're so spoiled. We take it for  
6 granted. Look what's happening around the world  
7 right now. People are giving their lives to just  
8 have a portion of the rights and freedom we have.

9 I could go on and on and on, but I'm just  
10 going to say it one more time - punitive, petulant,  
11 political payback. It's not how you're supposed to  
12 govern. Thank you.

13 PRESIDENT SIMPSON: Is there any additional  
14 debate? Any additional debate? Senator Bradley,  
15 you're recognized to close on your bill.

16 SENATOR BRADLEY: Thank you, Mr. President.

17 And again, this bill is a good bill that  
18 should not be controversial. We're removing an  
19 exemption that many -- that troubled many in this  
20 chamber, and indeed a court has found to be infirm.  
21 It's a simple bill. The court was -- had questions  
22 about what our intent was. Do we intend, in fact,  
23 for this bill to apply to everyone equally. And  
24 this bill removes the exemption, removes the carve  
25 out and says, "Yes. Our legislative intent is that

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1 this bill apply to all equally."

2 I have a hard time understanding why that  
3 would be a controversial issue. Let's apply the law  
4 equally to everyone. And in case there was any  
5 doubt in the court's mind where the Legislature  
6 stood, it's that we do not stand with special carve  
7 outs. And I'd appreciate your support.

8 PRESIDENT SIMPSON: Thank you. The  
9 Secretary will unlock the board, and Senators will  
10 proceed to vote. Lock the board and record the  
11 vote.

12 THE SECRETARY: 24 yeas, 15 nays,  
13 Mr. President.

14 PRESIDENT SIMPSON: Show the bill passes.  
15 Read the next bill.

16 THE SECRETARY: None on the desk,  
17 Mr. President.

18 PRESIDENT SIMPSON: All righty, guys.  
19 Before I recognize the rules chair for another  
20 motion, are there any announcements? Madam Rules  
21 Chair, you are recognized.

22 CHAIR POWELL: Thank you, Mr. President. I  
23 move that the Senate adjourn to reconvene upon the  
24 call of the President.

25 (Laughter)

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1 PRESIDENT SIMPSON: Without objection, the  
2 Senate is now adjourned for the day.

3 (END OF AUDIO RECORDING)  
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1 CERTIFICATE OF TRANSCRIPTIONIST

2 I certify that the foregoing is a true and  
3 accurate transcript of the digital recording  
4 provided to me in this matter.

5 I do further certify that I am neither a  
6 relative, nor employee, nor attorney of any of the  
7 parties to this action, and that I am not  
8 financially interested in the action.

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Julie Thompson, CET-1036

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