

**Florida House Session
March 4, 2022**

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1 [00:07:45]

2 The Speaker: Read the next bill.

3 Clerk: By Reapportionment and Senator Rodrigues, CS for Senate Bill 102, a bill to be
4 entitled an act establishing the congressional districts of the state.

5 The Speaker: Representative Leek, you are recognized to explain the bill.

6 Tom Leek: Thank you, Mr. Speaker. This is the congressional redistricting bill that we
7 discussed yesterday.

8 The Speaker: Are there amendments?

9 Clerk: On the desk Mr. Speaker.

10 The Speaker: Take up the amendment.

11 Clerk: Representative Renner offered the following technical amendment, barcode
12 225011, remove line 115, insert an amendment.

13 The Speaker: Representative Avila, you are recognized to present the amendment.

14 Bryan Avila: Thank you Mr. Speaker, the amendment adds the letter P in between the
15 parentheses to denote the paragraph. That is the amendment. This is a technical amendment.

16 The Speaker: Are there questions? Are there questions? Seeing none, are there
17 amendments to the amendment?

18 Clerk: None on the desk, Mr. Speaker.

19 The Speaker: Are there substitute amendments?

20 Clerk: None on the desk, Mr. Speaker.

21 The Speaker: Is there debate? Representative Avila waives close on the amendment. All
22 in favor of adoption of the Amendment say yea.

23 All: Yea.

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1 The Speaker: All opposed no. Show the amendment is adopted. Are there additional
2 amendments?

3 Clerk: None on the desk, Mr. Speaker.

4 The Speaker: Alright members we are going to enter into structured debate on the
5 redistricting bill, SB 102. We will begin in 15-minute blocks for the entire 75 minutes that each
6 side is given. I will recognize Representative Willhite to manage the time on the con side. I will
7 recognize Representative Clemons to manage the time for the majority. Representative Willhite,
8 you are recognized.

9 Matt Willhite: Thank you Mr. Speaker, I don't know if I would say con side, but I would
10 say a different perspective if you don't mind, sir. Would you recognize Representative Geller?

11 The Speaker: Representative Geller, you are recognized for a perspective.

12 Joe Geller: Thank you Mr. Speaker and I will try and have some perspective on that
13 perspective if I can. Members I rise today to speak in opposition to this bill. I don't love having
14 to speak in opposition to it and I can't tell you I'm gratified by it. But I think this is the wrong
15 approach, it's not what I had hoped. It's not what I had envisioned when I was appointed as the
16 ranking member for my caucus on this committee. I think that the process that we followed could
17 have been otherwise. It could have been. It started with our failure to listen to adequate public
18 input from around the state, which I personally spoke to at least two or three times in writing or
19 in committee. In these days of Zoom, we easily could have had a process where anybody who
20 wanted to address the committee could have done so. In fact, the committee didn't even need to
21 be sitting in a committee room. We could have set up Zoom links for those people who had
22 trouble Zooming in various cities. We did not. Now you will be told that there was a portal and
23 anybody who wanted to could access that portal. That's the truth. Anybody who wanted to could

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1 have done that. Anybody who knew how to do that, anybody who was experienced enough to
2 negotiate that process had that opportunity. But simple average members of the public who don't
3 know how this process works and may not be that familiar with it and may not be that familiar
4 with how to be heard or how to access it. Didn't know that was a problem. We heard very early
5 on from some experts who criticized the process some of the selection of software. Some of the
6 things that could have and should have been done I'll say that for the record at the time I was not
7 one who jumped out there and said, oh, my God the sky is falling, look what these guys have
8 said. I personally said that it was premature that their conclusions had not yet been warranted by
9 the facts. I am sorry to say looking back in hindsight that it turns out that some of those
10 complaints were valid and should have been addressed. There are more troubling things in the
11 process than that. The House hired outside counsel. I believe three firms. We haven't heard much
12 about them. But there are three firms and at least one of them hired experts. Who was their
13 client? Their client was the House. The last time I looked, I am still a member. I have asked for
14 that information repeatedly. I have asked for it repeatedly enough to be kind of annoying about
15 it, to be quite honest with you. I never intend to annoy. But I have never received it. I was told
16 that's because I said I was going to sue this House, and I want to be clear on the record, I have
17 never said that, and frankly I have never contemplated it. I do not have any present intention. I
18 just predicted, as I do again today, that there will be litigation, no matter what we vote. And I do
19 not necessarily think that is a bad thing. Just yesterday the Supreme Court, in upholding our
20 legislative maps on the pro forma review that they do, that no one submitted on, but just
21 yesterday, the Florida Supreme Court declined the invitation to rule that no one could further
22 challenge those maps as applied in a fact-based suit. So, we have these law firms, they are paid
23 by, ultimately by the taxpayers. They are paid by the people of the state of Florida. They have

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1 hired experts to analyze things. Yet somehow not one member of my caucus, as far as I know,
2 has been privy to those opinions or expert reports prepared at taxpayer expense for this House.
3 How can that be members? How can that be? How can it be a work product privilege, a litigation
4 privilege against the client? I am the client. We are all the client. Yet that information was not
5 made available and neither was information as to exactly who did what. Exactly who made
6 policy decisions? We have heard correctly that there is a lot of ways to draw this that could be
7 constitutionally compliant. So those are decisions, those decisions should be made known to us.
8 Who made them, how they made them, why they made them, that's the openness and the
9 transparency that we require. I can tell you that there are things in this proposal that I think are
10 blatantly unconstitutional. But I have to also tell you, there are things I don't know about. There
11 are things I'm not sure about because I have not been able to see the detailed analysis of these
12 districts and how they fit together. And I'm sorry, I do not think that is because I had partisan
13 intent. I want to see a constitutionally compliant map and one that serves the purposes of the Fair
14 Districts Amendment. Let me turn to that for just a moment. We have a Fair Districts
15 Amendment in this state that was adopted overwhelmingly by the voters. It is part of our State
16 Constitution. We also have a Voting Rights Act that was enacted decades ago and there is not a
17 lot of it that is still left standing. But there is a part that governs this process. On those two
18 pillars, our State Constitution and the federal Voting Rights Act, we are instructed, I might say
19 commanded, to adopt maps that do not diminish or dilute minority voting strength, and yet issues
20 have been brought before us. Where some, and I try not to name names, some would challenge
21 what the voters of Florida have overwhelmingly supported and decades of jurisprudence under
22 the Voting Rights Act and say no, we are not going to even think about these. We want to
23 overturn them. I never oppose anybody who wants to go to court and challenge something. We

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1 are blessed to live in a free society where independent people who wear black robes make those
2 decisions. I believe in that system, and despite what, candidly, some of my colleagues say. I have
3 confidence that the Florida Supreme Court will do the right thing when this comes to them. But
4 members, we should not be part of undermining our whole system here. We should not be part of
5 it and look at what we're asked to do. The Senate voted a map. The House was prepared to vote
6 them out. Is it practical to alter your course because of the threat of a veto? I cannot say it is not
7 practical. I do say it's the job of this House to vote what we think is right. What we believe
8 complies with the law and then the process will work as it's intended to, but we should not be
9 voting on something that we don't believe in and we think is wrong. Members, Plan A, and Plan
10 B, one of my colleagues had the very clever mention that this is – we have just banned rank-
11 choice voting. I think that was Rep. Daley. We banned rank-choice voting, but here we are rank-
12 choice legislating. Kudos, Rep. That's what we're doing. Why have a secondary plan, if we don't
13 believe in the first plan, don't vote for it. If you believe as I do that that so-called primary plan is
14 unconstitutional, don't vote for it! Can you imagine, as I think in questions, if we did this across
15 the board every time, we have a bill that's a little controversial. We said well, we are going to try
16 and pass it this way but just in case we are, you know, we get it all wrong, maybe you can do it
17 this other way. Is this the start of that? Is this the precedent for doing that on every bill? I think it
18 violates single-subject rule. I think it's unconstitutional and I think it's just a terrible idea, just a
19 terrible idea. We should vote down this, well let's see if this one somehow sneaks through even
20 though none of us likes it that much. And if not, well we have got a fallback position ready to go.
21 Look, I do not want to come back here in a special session, believe me. Believe me, I love you
22 all, but I am not anxious to come back here for a special session. But I have, like every one of
23 you, taken an oath to do our jobs! Do your job! Vote for something that you think is right! And if

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1 the process forces us back for further proceedings, so be it. This is a bad idea, members. It is not
2 what we should be doing. The current law says cramming people into that little district with a
3 significantly lower BVAP and a one-third historical failure rate because somebody predicts it
4 will perform, perform, practically an undefined term. But somebody says, oh the trend. Maybe in
5 the future it will work. No, vote based on data, vote based on evidence, vote based on
6 conscience! Vote based on the Constitution! Vote based on our precedents! Vote no! Thank you.

7 The Speaker: Representative Willhite.

8 Matt Willhite: Thank you Madam Speaker. I'll yield back that time.

9 The Speaker: Having yielded back their time, Representative Clemons you are
10 recognized in debate.

11 Charles Clemons: Thank you, Madam Speaker. This time we would like to yield the floor
12 to Representative Robinson, W.

13 The Speaker: Representative Robinson, W., you are recognized.

14 Will Robinson: Thank you, Madam Speaker. For me, It's an honor not only to stand here
15 debating this bill but to be voting on this bill. It's a once-in-a-decade process. And actually, I
16 remember looking at my fellow legislators a decade ago voting on this and just thinking about
17 how neat of a process that could be. I am personally proud of our product. And really, we have
18 one question in front of us today. Is this congressional apportionment plan a constitutionally
19 compliant product? Now, why did I use that word, plan? Well, guess what, that's the word in our
20 Constitution. And we talk about the Constitution a lot around here, but maybe we should spend a
21 couple of seconds looking at it. It's Article III, Section 20, standards for establishing
22 congressional district boundaries. First three words, the very first three words. No apportionment
23 plan. It doesn't say map. Or maps. The word is plan. What is the definition of plan? A detailed

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1 proposal for doing or achieving something. I think it's purposeful. That that word plan is in
2 there. I am entirely comfortable with the plan that we've proposed today. Let me talk about one
3 of the other features of Section 20. We talk about Tier One and Tier Two. Well, Tier Two:
4 Districts shall be nearly equal in population as practicable, shall be compact, and districts shall,
5 where feasible, utilize existing political and geographical boundaries. The primary map improves
6 both mathematical and visual compactness compared to the benchmark map. And all three
7 statewide averages of mathematical compactness are considerable better than the benchmark
8 map. Both the primary and secondary, I might add. The great part about this process is I get to
9 learn new terms. I had never heard of Reock, Convex Hull, Polsby-Popper. But those are the
10 three different ways to measure compactness. Well for Reock, .42 is the benchmark, .48 primary,
11 .45 secondary. Higher is better by the way, members. Convex Hull, .75 benchmark, .82 primary,
12 .80 secondary. Once again higher. Polsby-Popper, .35 in the benchmark, .42 in the primary, .40
13 secondary. Much more compact. Much more compact, all three. Then finally, members, another
14 measure of Tier Two improvements in the maps compared to the benchmarks can be seen in
15 boundary analysis. Now, it gets technical. But in this situation, the lower is better. The statewide
16 average for non-geographical and political boundaries in the benchmark map was 14.67%.
17 Primary, 12.5%. Secondary, 11.79. Once again, another Tier Two standard that is much better
18 under both primary and secondary than the benchmark. Members, for these reasons and many
19 others that my colleagues will talk about today, this is a good product and a good plan. I urge
20 support. Thank you.

21 The Speaker: Representative Clemons.

22 Charles Clemons: Thank you Madam Speaker we will yield back the balance of our time
23 in this segment.

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1 The Speaker: Representative Willhite.

2 Matt Willhite: Thank you Madam Speaker, would you recognize Representative Daley.

3 The Speaker: Representative Daley, you are recognized in debate.

4 Dan Daley: Thank you, Madam Speaker. Members, I'll be brief because I do, I rise in
5 opposition to the proposed plans, plural, for multiple reasons. But the one I really want to hone in
6 on is something that Representative Geller touched toward the end of his debate. And that's the
7 process and the precedent. Members, I am a big fan of this process, our process. And of
8 precedent. And what we are proposing, two maps, is unprecedented. There is no precedent for it.
9 Just like there is no precedent for a governor weighing in with his own set of maps. And the
10 enormous amount of deference that we have given to that Governor in doing so. Think about it,
11 we don't do this with anything else. We don't pass two pieces of legislation and say well, one
12 may be unconstitutional and the next one may be okay, so let's just give it a try. We do not say,
13 hey, we want the Governor, by the sponsor's own admission, the Governor's opportunity to
14 challenge a voting rights amendment, that's why we are passing this primary map. We have
15 never done anything like that, nor do we do it in any other way, shape, or form. And we should
16 not be doing that now. Yes, I believe it equates to rank-choice legislating. If you do not like
17 Option A, heck, well we provided Option B, you can go for that too. Members, we do not do that
18 anywhere else. That makes this unprecedented. I'm going to highlight one other thing that I
19 mention time and again in this chamber on so many different issues, whether it was the special
20 session on COVID, and everything else. We have given unbelievable deference to this governor
21 because of who this governor is. We do not do that. We are a coequal branch of government. We
22 should not be bending over backwards. The last time I checked, the Governor's not a member of
23 this body. So we should pass the maps that we believe are constitutionally compliant and send

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1 them to his desk. And if he vetoes them, members, then fine. Then there is a process in place to
2 deal with that. There is a process, there is a plan, there is precedents for what comes after that
3 happens. This is unprecedented and for these reasons and for many more we should be voting
4 down on the maps today. Thank you, Madam Speaker.

5 The Speaker: Representative Willhite you are recognized.

6 Matt Willhite: Thank you Madam Speaker would you recognize Representative
7 Skidmore.

8 The Speaker: Representative Skidmore in debate.

9 Kelly Skidmore: Thank you Madam Speaker. When I was in school, I was, often in class
10 I was the teacher's pet. I loved school. And as the teacher's pet, I often got to help them, at the
11 end of the day, grade work. But I never graded my own tests because that would be wrong and
12 that would be too tempting and what we are doing with this set of maps, we were so close,
13 members. We were so close to really having a product that we all believed in. We were inches
14 away from that. Until the Governor got his way and the Governor gets to grade his own work.
15 The primary map is, maybe it's not every single line, but the primary map is the work of the
16 Governor and he gets to grade it. He gets to say, I love this plan, let's do it. Why are we
17 abdicating our duty? This is wrong on so many levels. Even if you love the map, this is wrong on
18 so many levels. You don't let the Governor dictate what we do in this chamber or in the one
19 across the hall. This is wrong on every level. There are so many parts of the two maps that we
20 could dig into. I am very concerned about diminishment in CD 5 in the primary map. I am very
21 concerned why CD 10 isn't protected in the House map. I am concerned that the primary map
22 takes four protected African American seats down to two. That is diminishment. That is not what
23 we are supposed to be doing. And while we hear about all of the Tier Two, oh my gosh, the

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1 compactness, the boundaries. Tier Two does not supersede Tier One. Tier One comes first, not
2 Tier Two. It's great that districts are more compact. It's great that we used more geographic and
3 political boundaries. But those come second to Tier One. Which is, you cannot make a district
4 that dilutes minority and minority language communities from electing a candidate of their
5 choice. That's what this map does. That is what we are doing, and we are doing it so that we can
6 please a governor. So that a governor can take what we do in this chamber and then challenge the
7 federal Voting Rights Act. God, I thought we were better than this. I really did. I really thought
8 we were better than this. Vote no on this bill.

9 The Speaker: Representative Willhite.

10 Matt Willhite: Thank you Madam Speaker. Would you recognize Representative
11 Driskell?

12 The Speaker: Representative Driskell in debate.

13 Fentrice Driskell: Good morning members, thank you, Madam Speaker. I want to hit on
14 four points very briefly. The first is that CD 5 in the primary map constitutes diminishment. I
15 want to make that unequivocally clear. That it constitutes diminishment, and not by what I think
16 is diminishment, not by how Webster's Dictionary defines diminishment, but how this very
17 chamber has argued to the court, very recently, in terms of what diminishment is. This, I am
18 reading from the brief of the Florida House of Representatives – that's us – *In re Joint*
19 *Resolution of Apportionment*, which was filed on February 19, 2022. This is regarding the facial
20 review of the House and Senate plans that the court was reviewing, the legislative plans. This is
21 what our House stated. Third, on its face, the non-diminishment standard protects against any
22 diminishment, not merely against a total elimination of the ability-to-elect. To diminish means to
23 make less or cause to appear less. Thus, in *Apportionment I*, the prior case, this court recognized

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1 that new districts may not weaken historically performing districts and that the non-retrogression
2 standard adopted by Congress and more recently by Florida asks whether the minority
3 population is more, less, or is just as able to elect a preferred candidate of choice after a change
4 as before. That is this chamber's definition of diminishment. So to make the argument that, well,
5 as long as a district performs, we're good to go. No, not by our own standard, by our own
6 standard, the way that CD 5 has been drawn in the primary map, we know that this is a district
7 that fails to perform at least a third of the time. Members, if you were to take a test and miss a
8 third of the answers, you would get around a 67%. Where I grew up and went to school that's a
9 D+. I believe we are better than a D+ chamber. And I believe we can do better than a D+ map.
10 The fact that CD 5 is diminishment is enough alone to be fatal to these maps and a reason to vote
11 down.

12 Second, CD 10 should be protected. I will repeat that. CD 10 should be protected in our
13 maps. That is a district in Central Florida, it's protected in the Senate map. There is enough of a
14 Black voting-age population there for this to be a protected map. What we've heard is that we get
15 to make policy choices about these maps and yes, although the Senate and the House reviewed
16 the same information, the House made a policy choice to not view this as a protected district.
17 Who made that policy choice? I did not make that policy choice. That was not made my policy
18 choice. That is a policy choice that we were presented with as a redistricting committee and that
19 the subcommittee was presented with and those conversations took place well before those maps
20 were ever presented to the committee. That was not the policy choice made by all the members
21 of this chamber.

22 Third, we are delegating our legislative function to the courts. That is something we
23 should all be concerned about. We have separation of powers. We are the legislative body. We

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1 legislate, that is our job. That is not our job to give to the court a couple of options and say pick
2 what you want because we could not make our minds up. Members, you don't ask two dates to
3 go to prom. You ask a single date. You don't put forth two maps and call it a plan. You put forth
4 a single map. We need to not delegate our legislative duties to the court, whose job it is to
5 interpret the law, not make the law.

6 Fourth, the statute of limitations, reducing the statute of limitations from four years to 30
7 days is using procedure as a weapon. I stated it yesterday and I will state it again, if we believe in
8 our map, if we believe in our plan, if we believe that it's constitutional, then let it stand. What
9 fear is there for anyone to challenge our plan? If we believe that it's constitutional, you don't
10 need to use procedure as a weapon and try to cut off dissent. Because, let's be honest, that's what
11 it is. We are saying we do not want to hear from the people of Florida. We are afraid of dissent.
12 We are afraid that they may disagree with us. No, if you believe in your maps, and you believe
13 that they're constitutional, then give the people the time they need to challenge the maps.

14 To recap, first, CD 5 is diminishment by any measure, but especially by the measure that
15 we stated very recently in our brief less than a month ago. Second, CD 10 should be protected.
16 Third, we need not and should not delegate our legislative duties to the court. And fourth, the
17 statute of limitations is wrong. I think that is enough to vote down on this map. I do not believe
18 that the courts will look down on that favorably. Just one final point that I want to make, I know,
19 I'm looking at you, Rep. Willhite, I know. One final point that I want to make. I want to pick up
20 on something that Rep. Skidmore said, because she said she thought we were better than this,
21 that we could be better than this. And I actually believe that we could too. And I wanted us to,
22 Rep. Skidmore. I really wanted us to be better than this because we are very close. What is
23 challenging to me is we have been told that these maps are good enough and that we should stop

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1 there. I am not satisfied with D+ maps and you should not be either. I am not satisfied with
2 saying we should be happy because we reduced the number of city splits from the benchmark
3 map to the present maps. I am not happy with that because I do not know if we did that to the
4 fullest extent that we possibly could. I am not happy with getting that and not knowing whether it
5 is a D+ or an A+. You should not be happy with that either. Florida increasingly is going to be in
6 the nation's spotlight and you see that we have been over the years and you may think that some
7 of it's good, some of it's bad. But the reality is that we are the third most populous nation in this
8 state and therefore we are a leader, whether or not we like that. And therefore, we are all leaders.
9 There are very few people, when you consider comparatively over time the amount of population
10 in this state and the number of people that have had the pleasure and honor of serving in this
11 great chamber. We are breathing rarified air. We have a duty to do our best each and every day.
12 But to also think about future generations of Florida and the precedent that we set by passing
13 maps that are just good enough is frankly not one I want to be a part of and you should not want
14 to be a part of it either. So members, please vote down on the reapportionment plan. It's bad, I
15 think it's unconstitutional, and we could have done better.

16 The Speaker: Members, please remember to keep your conversations at a minimum, and
17 if you need to have greater conversations, please use the bubble or get off the floor. We
18 appreciate it. It's getting difficult to hear everyone. Representative Willhite in debate.

19 Matt Willhite: Thank you Madam Speaker, would you recognize Representative Jenne.

20 The Speaker: Representative Jenne you are recognized in debate.

21 Evan Jenne: Thank you Madam Speaker and I will be very brief, members. Originally, I
22 was planning on rising today to talk about the 30-day limitation on this because as you know it
23 takes quite a while to create these maps and just as long to analyze them. But I did have a bit of a

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1 stop in my speech. So the chamber is aware because I know we like to do announcements about
2 what is going on with these maps on the floor. I just wanted to read you a Tweet. I will veto the
3 congressional reapportionment plan currently being debated by the House. DOA. That Tweet
4 came from our own governor just moments ago. So as we, do this please understand what we're
5 working on is a product that has already been claimed as dead on arrival when it hits the
6 governor's desk? Members, we need to seriously reconsider what we are doing with this. Bill
7 might need to be re-referenced, might need to temporarily postpone. Don't know, above my pay
8 grade. But members, this map doesn't just have significant problems on this floor or in the
9 courts. This map has significant problems even leaving the building. Be aware of that, thank you
10 Madam Speaker.

11 The Speaker: The time in this segment has expired. Representative Clemons, you are
12 recognized. Representative Clemons, you are recognized.

13 Charles Clemons: Thank you, Madam Speaker. At this time, we would like to yield part
14 of our time to Representative Tuck.

15 The Speaker: Representative Tuck in debate.

16 Kaylee Tuck: Thank you, Madam Speaker. Members, I rise in support of these maps
17 today and I want to take a few minutes to highlight the incredibly thorough and transparent
18 process to get us to where we are today. There was a great deal of time spent during committee
19 weeks at the beginning of session –

20 The Speaker: Members, members! Please take the conversations off the floor. Give our
21 members – give all the members the respect that they deserve in debate. If you need to have
22 additional conversations, please leave the floor. The bubbles are available. Thank you very
23 much. Representative Tuck in debate.

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1 Kaylee Tuck: Thank you, Madam Speaker. There was a great deal of time spent in
2 committee weeks and at the beginning of session to learn and understand the constitutional
3 requirements. We had to deal with throughout the entire process the complexities of this process.
4 I think most of us can recite the Tier One and Tier Two standards in our sleep by now. At least I
5 can. We conducted eight Congressional Redistricting Subcommittee meetings. Six more full
6 Redistricting Committee meetings. We created a website, FloridaRedistricting.gov, pretty self-
7 explanatory, where there was a publicly available suggestion site and Esri redistricting software
8 that was available to the public 24 hours a day, seven days a week. Anybody could go on and
9 look at what was going on in this process in addition to the website. We also had a full
10 Congressional Subcommittee meeting and a redistricting meeting that was completely dedicated
11 to public input on these maps. Chair Leek, and Chair Sirois and the committee staff spent
12 countless hours with feedback and taking in suggestions and that feedback ended up in the maps
13 that we have before us today. We went through great lengths to improve these maps every step of
14 the way. We improved our Tier Two metrics and we still fulfilled our constitutional obligation to
15 protect the Tier One standards. We could not have asked for a more open, accessible, thorough,
16 and transparent process to bring us to the product we have today, and I would encourage
17 everybody's favorable support. Thank you, Madam Speaker.

18 The Speaker: Representative Clemons.

19 Charles Clemons: Thank you, Madam Speaker. We will yield back the balance of our
20 time in this segment.

21 The Speaker: Having yielded back the balance of their time in this segment,
22 Representative Willhite you are recognized.

23 Matt Willhite: Thank you Madam Speaker. Would you recognize Representative

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1 Eskamani.

2 The Speaker: Representative Eskamani in debate.

3 Anna Eskamani: Thank you so much Madam Speaker. Members, I am still processing the
4 news as well, but I do just want to say that one of the concerns that I have with maps as well is
5 that 30-day statute of limitation dynamic. Product as a separate conversation I just have a lot of
6 frustration with limiting the legal access to these maps because unfortunately, Florida has a
7 history with maps being litigated and it can take a long time to put together that case. I am not an
8 attorney but I have a lot of respect for attorneys in the room. And having a 30-day timeline to put
9 together your case, I can only assume something as huge as this once in a decade opportunity is
10 difficult because you want to build a strong case before you pursue it. That can take more than
11 30 days. There has been amendments proposed yesterday by members of the Democratic caucus
12 to try to extend that. Unfortunately, we were rejected. But I think that the fact that we have that
13 type of restriction, it's not providing equitable opportunity from those in the public who have
14 concerns to express themselves, especially when the maps, especially these newest versions,
15 were created so quickly that I think many members of the public are still processing them and
16 need time to make those decisions. Of course, when it comes to the process itself, I don't serve
17 on the redistricting committees. I had requested that I would, but I did not, and so I do think that
18 the process was one where Democratic members have already expressed that they were not fully
19 included in that. Their perspectives were not given the same weight as staff, for example. Then I
20 think just the process of the governor getting involved has been super problematic, to this very
21 second, very problematic. We have three branches of government for a reason. We are supposed
22 to be a check and balance to one another. This type of power that the governor is placing on
23 everyone, on both political parties, it's unacceptable. The maps that we have right now were

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1 drawn for the governor and yet he is still not happy. I mean obviously it puts many of us in weird
2 positions because I do not like the map for different reasons than the governor, clearly, but it is
3 so ironic to me that we went out of our way to try to make two maps for his approval and he still
4 does not like it. I mean we should be drawing maps for the people of Florida. Not bend over
5 backwards to appeal to our governor. At this point that is what happened and he still is not happy
6 so I think it does speak to how we need to focus on what the people of Florida are asking us what
7 to do. What advocates came to our committee meetings and told us to do. Yet the final product
8 we have does not even meet their demands and apparently does not meet the governor's either. A
9 lot of frustration on both sides, but for now I am going to have to still be down on the maps
10 because I still have concerns with what is happening with CD 5. And candidly, even in Central
11 Florida, the way the maps are drawn with CD 10, I have concerns on that still being a minority
12 access seat, which is my community. And so for that reason I am going to have to vote no on the
13 maps today. Thank you, Madam Speaker.

14 The Speaker: Members, let's welcome Senator Gayle Harrell back to the House, before
15 she leaves, say hi, Senator Harrell. Good to see you. Representative Willhite in debate.

16 Matt Willhite: Thank you Madam Speaker will you recognize Representative Thompson.

17 The Speaker: Representative Thompson in debate.

18 Geraldine Thompson: Thank you Madam Speaker. Many of our colleagues have already
19 pointed out the flaws in the process. So I won't go over that again. We had a lack of public input
20 on the front end and now we are getting ready to put barriers in place for the public to examine
21 and challenge the maps on the back end. I have raised questions regarding the proportional
22 increase of minorities in the state of Florida. 1.5 million people more than in 2012 identified
23 themselves as Hispanic. 500,000 more individuals on the census identified themselves as African

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1 American. We had 30 seats in 2012, we have 30 seats today. And while it could be argued that
2 there has been no retrogression, there certainly has not been no progression. So while there were
3 opportunities to create more minority seats that has not happened. The barriers that I am talking
4 about with regard to allowing input on the back end, allowing the public to examine the maps,
5 and perhaps to challenge this is based on the fact that we are going from four years to challenge
6 the maps to 30 days. Four years to 30 days. And I want to tell you what happened in 2012. After
7 the 2010 census, this Legislature drew maps. And on February 9, 2012, the Supreme Court
8 reviewed the maps and approved the maps for the House but not for the Senate. And then March
9 27, 2012, the Legislature passed a revised Senate plan. On July 28, 2015, based on a court
10 challenge, the Senate recognized that the new plan was unlawful. But the Legislature could not
11 agree on a remedial map. And so it was December 30, 2015 that the courts drew a new Senate
12 map. I'm very familiar with this because I ran for the Florida Senate in 2012 and I was elected.
13 And the Senate seats were not decided until 2015. We were told that the 30-day requirement now
14 is to give people certainty when they go to the polls. Well, you can challenge in 30 days, but it
15 does not determine when it's going to be decided. So that is not an argument that holds water.
16 Certainly is not lost on any of us. It should not be lost on any of us. Particularly given this recent
17 Tweet that 2024 is a presidential election, so if you can draw maps that make it more probable
18 that a certain party is going to win in 2024, you inject yourself into something that governors
19 have not done in the past. So we have a lot of problems with these maps including the fact that
20 you, we, give up our autonomy if it's going to be driven by the executive office. I ask all of us to
21 vote no. Thank you Madam Speaker.

22 The Speaker: Representative Willhite.

23 Matt Willhite: Thank you Madam Speaker. Would you recognize Representative

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1 Williams.

2 The Speaker: Representative Williams in debate.

3 Patricia Williams: Thank you Madam Speaker. Question. Transparent. As we spoke
4 about transparency, who was those members that met? Who conducted those meetings and what
5 questions or answers was given during that timeframe? Were the public involved? Did we
6 include the people in this meeting or those meetings? Several questions have been asked. And it
7 has not been answered on this floor. So let's talk about being transparent in this process. Thank
8 you Madam Speaker.

9 The Speaker: Representative Willhite.

10 Matt Willhite: Thank you Madam Speaker and would you recognize Representative
11 Joseph.

12 The Speaker: Representative Joseph in debate.

13 Dotie Joseph: Thank you Madam Speaker. A House divided against itself cannot stand.
14 That stands for this House, that stands for the United States. There are lots of forces trying to
15 divide us on all kinds of fronts. This is one that if we actually came together, we could stand. We
16 could be united, and we could win. I am just going to address some deficiencies that I have
17 identified in the process. Our manner in which we have failed to meaningfully take into account
18 public input. As we heard in questioning yesterday that most of that public input was taken into
19 consideration if and only if a member brought it to folks' attention. That is problematic as far as
20 making sure that we have input into the process by folks that we want input from. I understand
21 that there needs to be guardrails, but I do not feel like there was a reasonable opportunity for the
22 public to be heard in a meaningful way. That is neither here nor there. In addition to that, I have
23 already articulated some of the concerns with diminishment respecting to minority districts that

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1 maybe could have been drawn and may not have been. We have not gotten clarity as to how that
2 was determined. We are told that some outside expert, somebody did some analysis that we don't
3 have access to, that is work product protected. That is a little frustrating because we cannot really
4 evaluate what that is. That is what it is.

5 Some people are going to vote against this map because they have genuine issues and
6 concerns about deficiencies and some people are going to vote against this map because they are
7 trying to please the governor and some people are going to vote against this map out of pure self-
8 interest as potential congressional candidates. We have got all that stuff going on. But let me just
9 remind us. You heard about the separation of powers. We are the legislative body of the state of
10 Florida. We have an opportunity to pass a bipartisan map that is veto-proof. Meaning if he vetoes
11 it, which he already told us he will, we could actually put something together that shows us
12 putting our heads together. Instead of it is what we are doing here. This is not to diminish
13 whatever effort that was put into the maps. This is not to diminish the work that went into the
14 maps I am just saying this is not good enough. I am saying we could be good enough. I am
15 saying I understand the tensions that the Speaker of the House may be going through and I
16 empathize, but our responsibility is to the people of Florida, not to let somebody from on high
17 dictate to us what those maps should be looking like. But for us to develop some districts that are
18 legally compliant, that are fair districts for the people of the state of Florida, so that the people
19 can elect their representative, versus the other way around. A House divided against itself cannot
20 stand. We have an opportunity to stand. We can rise to meet this moment or we can let it pass us
21 by. Out of any of those things I that just identified and probably more that also exist. We could
22 stand, we could do something, let's see if we do.

23 The Speaker: Representative Willhite.

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1 Representative Willhite: Thank you Madam Speaker I yield back the balance of this time.

2 The Speaker: Having yielded back the balance of his time, Representative Clemons you
3 are recognized.

4 Charles Clemons: Thank you Madam Speaker, we will yield the floor to Representative
5 Fine.

6 The Speaker: Representative Fine in debate.

7 Randy Fine: Thank you, Madam Speaker. I rise to talk about math and then to give a
8 defense of process. First, I want to repeat a discussion that we had when we talked about the state
9 maps, the notion of proportional representation and proportional growth, because it is important
10 that in this room we have a basic elementary school level understanding of proportionality and
11 math. This state grew a lot over the last ten years. I am surprised it did not grow more. I do not
12 know why you would want to live in many of these other states these days. But we grew 2.7
13 million people over the last ten years, about a 15% increase. And as a result we got one more
14 congressional district. So because of that, people will say well there are more Hispanics or there
15 are more African Americans or whatever. Well there are more of everybody. What really didn't
16 change again over the last ten years is proportionality. Lots of African Americans either were
17 born or moved to Florida. Lots of everybody else were born or moved to Florida. Ten years ago,
18 17.02% of the state was Black, ten years ago. Today, it's 17.02%. It's basically the same
19 number. It's grown but so have everyone else. Hispanics, 22.5% to 26.5%, a little bit of an
20 increase but not a lot, as a result we had three protected minority districts, and we still do. Three
21 protected minority Black districts, three protected Hispanic Districts, that has not changed. But I
22 want to talk a little bit about math. Because there is the notion of one map is good, two maps are
23 bad and that is wrong. So and this is a little bit beyond elementary school math. But if you

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1 wanted to figure out the total number of maps you could create in designing this plot process.
2 The answer is 21 million factorial. What is factorial for those of you who do not remember back
3 to high school math. Factorial is when you multiple every number by itself as you get smaller. So
4 5 factorial would be $5 \times 4 \times 3 \times 2 \times 1$. 21 million factorial would be 21 million times every
5 number below that. It is effectively infinite. There is an infinite number of maps that could be
6 drawn. Now most of those maps would probably not, would not be for sure, would not be
7 constitutionally compliant. They would not be legal maps. But even if only 1%, 1% of an infinite
8 number is still an infinite number. So people can disagree on this map or that map and say this
9 map is better or that map is better. The objective is to create a legally compliant map. There is
10 not simply one answer. Part of the struggle that we have in this debate is there are very smart
11 people, lawyers, and people think I am one. I am not. With all due respect to my Harvard Law
12 School friends, I turned them down. I am not a lawyer, but there are people that I respect on both
13 sides who are very, very smart lawyers, who have very different views of what the law relating
14 to redistricting should be. And there are unanswered questions out there, as to what that law
15 should be, based on recent Supreme Court decisions. And no matter what we pass, those
16 questions are and will deserve to be answered. It is our goal, it is our obligation to get us in the
17 position where those questions can be answered. The last thing I would like to say is something
18 that has bothered me quite a bit. As I have heard, this debate this morning is the notion that we
19 are, a, either doing the governor's bidding or, b, that the governor has no place in this process.
20 And we hear a lot about separation of powers. On every bill that we pass through here, he gets a
21 say. And if when you are running a bill you do not go talk to his office about what your bill is
22 going to do, you assume, because it is hard to get a bill, any bill, I learned a long time ago there
23 is no such thing as an easy bill. I mean, look. yYou would think strawberry shortcake would be

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1 easy, look at that. There is no such thing as an easy bill and if you are not talking to them as you
2 go through that process, you're making a mistake, because they do get the final say. I have been
3 here six years. I have not seen him get overridden once. Either of the governors that we served
4 under. If you do not take his opinion into account, you are making a mistake because that is how
5 the Constitution is designed, to give him a say and to give him perspective in that process and
6 that perspective should be respected. But I will say this. There was a part of redistricting that he
7 did not get a say and that was the state maps. The State House and the State Senate maps. And I
8 would note that he did not inject himself into that. He understood what the Constitution was. As
9 we move forward we should respect the views of every Floridian to have a perspective in this
10 process. Whether you are one of our constituents, whether you are one of us or whether you are
11 the governor of the great state of Florida. We have to get here because this is the map that we are
12 all going to live under for the next ten years. I think passing two maps is a great idea because we
13 don't know what the future holds beyond this. As Chair Leek has said, there is going to be
14 litigation and so setting us up to be prepared for all of the eventualities, it's just the smart thing to
15 do. Thank you, Mr. Speaker, thank you Madam Speaker.

16 The Speaker: Representative Clemons.

17 Charles Clemons: Thank you Madam Speaker we will yield back the balance of our time
18 in this segment.

19 The Speaker: Having yielded back the balance of the time in this segment, Representative
20 Willhite you are recognized.

21 Matt Willhite: Thank you Madam Speaker. Would you recognize Representative Beltran.

22 The Speaker: Representative Beltran in debate.

23 Mike Beltran: Thank you, Madam Speaker, and thank you Leader Willhite. I want to start

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1 out by saying I know everyone worked hard on this issue. I have had a lot of conversations. I
2 have done a lot of research. I know my colleagues have done a lot of research and done a lot of
3 work. Probably more work than I have and they are genuinely trying to do the right thing. There
4 is a lot of competing laws, there is a lot of competing interests, and there has been a long process.
5 I know everyone is genuinely trying to get this right and get something that is good for our state
6 that is going to be compliant and all of that. I just want to start off and acknowledge that because
7 this is a tough issue and I am trying to work through it myself and unfortunately, in this
8 particular case I am disagreeing with some dear friends and some people who I usually agree
9 with on a lot of things. Both this session and in the past. Just in terms of our general philosophies
10 on everything. But I did have to do my own analysis and I feel I should explain that. But I did
11 want to say that first. But I am going to do something uncharacteristic today. There is a ton of
12 Supreme Court cases on this issue. I am not going to go into those because we have the text of
13 the Constitution, particularly the 14th Amendment, and Section 1 of the 14th Amendment has
14 our Equal Protection Clause. That we treat everyone equally, we don't take anything into
15 account, and we just treat everyone equally. Before I go into that, I acknowledge that we have
16 the VRA and we have the Fair Districts Amendment. In this case it would be the Fair Districts
17 Amendment to the State Constitution that would come into play and I guess would be used to
18 justify the districts as we've drawn them. Those are all trumped by the Supremacy Clause of the
19 United States Constitution. And the Supremacy Clause specifically says anything in a state
20 constitution has to yield to the federal constitution. But we all know that. So we look at the Equal
21 Protection Clause and then we look at the 14th and 15th Amendments that protect voting rights.
22 The last section of each of those amendments says that Congress can enforce this law through
23 appropriate legislation. Notice it says Congress. Because the context of that was that we did not,

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1 frankly, I'm sorry to say this, I am just going to say this straight up, the Congress, there was a
2 feeling at the time in the 1860s that the Congress had to step in. That we did not trust the state
3 governments to protect voting rights. So the Constitution reserves that right to the Congress. Not
4 to the states. They did not trust states like us. I am sorry to say. But they did not trust states like
5 us back in the 1860s to do it right. So that right was reserved to Congress. So, anything in the
6 14th Amendment that would justify doing districts like this or justify the VRA, or justify any
7 adoption of any of those principles in Fair Districts is also subject to the 14th Amendment's
8 Equal Protection Clause. That is supreme, okay. So, and that is consistent with the text and the
9 historical meaning of the 14th Amendment. So the 14th Amendment has to be supreme in
10 protecting voting, and I follow the plain text of that. And that's where I come out on these maps
11 that we should not take those sorts of things into account. We should just draw compact maps
12 and follow the boundaries that we are supposed to follow. So that is the constitutional analysis. It
13 is fairly simple for me. But we also, in no other context – we have talked about a lot of compliant
14 maps. I understand everyone is trying to do compliant maps. I know folks disagree and they have
15 reasons for that and I understand those have spent some time with that. But nowhere else did we
16 say that simply being compliant with the Constitution is sufficient to pass the map, right. It is
17 kind of the price of admission. You have to comply with the Constitution or we are not going to
18 pass a law, or we are not going to pass a map or do anything else. But that is kind of the price of
19 admission. That does not mean that you necessarily do something. There is a whole bunch of
20 things that are constitutional that we do not decide to do. So, I have to also represent my
21 constituents. And I also have to look at what is good policy. I am looking at these maps, I am
22 from east Hillsborough, and I have looked at these maps, I said this back in early December. I
23 said this in the House Redistricting Subcommittee. These maps, they split two of the three

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1 municipalities in Hillsborough County. They split Tampa, which is obviously by far our biggest
2 municipality, and they split Plant City. We only have three municipalities, they split
3 two. Looking at my little House district in the corner of east Hillsborough County, southeast
4 Hillsborough County, it splits my little House district three different ways. Looking at the
5 community of east Hillsborough County, I know it's not incorporated, maybe it should be.
6 Maybe we will see about that. But it splits east Hillsborough County. The eastern half of
7 Hillsborough County, which is basically – Hillsborough would have two congressional districts
8 if it was just Hillsborough County. It splits east Hillsborough County four different ways. So I
9 have to look at that and my constituents have been very consistent the last four years. We have a
10 congressman, more or less, from other counties representing us. More than one of them. All due
11 respect to them. They are all good guys, but they are not from Hillsborough. We have very
12 different communities on the other side of Hillsborough, my constituents have been concerned
13 about that, and we are hoping for that to improve. And it's in fact, with all due respect, it hasn't.
14 That particular thing has not moved in the right direction. So, I understand we drew the maps
15 based upon other considerations. There are other counties. Everything we do affects the rest of
16 the state or there is a cascading effect. But I also have to represent my constituents. I want to say
17 two more things. One is, there was a suggestion, these are sort of in defense of the process, in
18 terms of there was a suggestion that having these two alternative maps somehow delegates our
19 role to the courts in violation of the non-delegation doctrine. It is a very interesting argument.
20 But I point out that we have statutes all the time they say that this statute is severable, right. So if
21 we pass a statute, this is what we think is right, but if the courts disagree, we either say you
22 throw the whole thing out or the statute is severable. We do that all the time. There is a
23 severability analysis, okay. So the idea and that's – no one has ever suggested that we violates

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1 non-delegation. So the courts necessarily have to interpret our statute, our laws, not just maps.
2 And then they have to decide what to do if they find one portion or one aspect of it that is is
3 unconstitutional. That does not violate the non-delegation doctrine. And the second thing I would
4 say is talking about the governor's role, or the governor had influence on these maps. I think my
5 colleague Rep. Fine touched on this as well. But we take input from the governor, we take input
6 from agencies, we take input from other legislators, we take input from stakeholders, even from
7 our constituents, we take input. The governor signs or vetoes almost everything that we do. Some
8 of us have carried bills proposed by the governor. Most of us go to bill signings when we can.
9 And obviously, the governor has a role in the legislative process. So the idea that the governor
10 should not have a role in this, it does not comport with our practice or the text of the
11 Constitution, which very clearly give the governor a role in lawmaking. I need to follow the
12 Constitution and represent my constituents as best I can, and so I am going to be down on the
13 maps. Thank you.

14 The Speaker: Representative Willhite.

15 Matt Willhite: Thank you Madam Speaker, would you recognize Representative Fischer.

16 The Speaker: Representative Fischer in debate.

17 Jason Fischer: Thank you, Madam Speaker, and thank you Representative Willhite.
18 Members, I would like to start off by saying that I truly appreciate the hard work of the
19 redistricting staff and of the committee members who have gone through months of hearings on
20 these complex issues. After serving on the Congressional Redistricting Subcommittee, I believe
21 we may have been procedurally correct in handling the redistricting process, but the work
22 product, the maps are constitutionally deficient. Governor Ron DeSantis also believes that the
23 maps are unconstitutional. His comments are well known and has even provided solutions to

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1 resolve these issues. Let me state that there are parts of this map that are probably well done.
2 However, I have four concerns regarding these maps that still have not been addressed and the
3 legal arguments, in my opinion, have gone from bad to worse.

4 Number 1, the definition of diminishment used by the House appears to have
5 significantly changed surrounding the proposed Congressional District 5 in the primary map that
6 was proposed hours before the Friday's Redistricting Committee. The original definition up until
7 last Friday was that diminishment is diminishment. And if you have lessened the likelihood of it
8 then you have diminished. Then last Friday they said the courts are going to decide what
9 diminishment is.

10 Number 2, regarding Congressional District 10. The district seems to have given the
11 advantage to an incumbent congressperson and the incumbent political party. This is according
12 to comments that have evolved from the previous Congressional Redistricting Subcommittee to
13 Friday's Redistricting Committee.

14 Number 3, the functional analysis data and opinion from outside counsel still has not
15 been provided, due to claims of work product doctrine. That may be a viable argument to people
16 outside this chamber, but it is not a viable argument for members of this chamber. If this data
17 was provided, then members could be more confident in the legal position and that the House's
18 definition of diminishment hadn't changed.

19 Four and lastly, it was repeatedly said last Friday that ultimately the courts will tell us if
20 there was diminishment. Since when does this House solely defer to the courts on these issues?
21 When it's been elections, the right to life, the 2nd Amendment, this House has led to set
22 precedent and push the courts to reconsider opinions of legislation and policy. But now on this
23 one issue, some are saying let the courts decide. Those are the four main points that I have of

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1 why I oppose these maps today. I hope some of those points will be addressed as we move along
2 in this process. I do fundamentally believe that the secondary map violates the U.S. Constitution
3 and I do believe that the primary map violates both the U.S. Constitution and the State
4 Constitution. It is for the reasons that I outlined today that I intend to vote against these maps,
5 thank you.

6 The Speaker: Representative Willhite.

7 Matt Willhite: Thank you Madam Speaker. We recognize Representative Gottlieb.

8 The Speaker: Representative Gottlieb in debate.

9 Michael Gottlieb: Thank you, Madam Speaker. I didn't have the privilege of sitting on
10 any redistricting committee so unfortunately, the perspective I have is the one that I picked up
11 from listening to the questions and listening to the debate. And the way I see it, Rep. Geller, who
12 is our ranking member, is correct. I mean, we are all sort of members of the same law firm. So if
13 we have work product, it is not like there is a Chinese wall. And Rep. Leek, I know that as a
14 lawyer, I think you understand the concept. What it seems like to me is that there is a Chinese
15 wall that has been built here that is disenfranchising some of the members who have to vote on
16 this. We do not get to see the work product. We do not get to see the foundation. We do not get
17 to see – members have talked about math. We do not get to see how the numbers add up. And it
18 is not just us. Every single person in this body represents approximately 175,000 people. And we
19 are their eyes and ears on the ground. So if we do not have the opportunity to see what is going
20 into the product, we don't have the right opportunity to ask the appropriate questions. To
21 question how it was done. To see if it actually is fair. And I agree with Rep. Fine, when he says
22 there is an infinite number of maps that can be drawn. That is 100% correct. But there is not
23 necessarily an infinite number of constitutionally correct maps that follow the Tier One criteria.

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1 That benefit the people of Florida moving forward. And I think that that's the problem we have
2 here. Is that we have relied on information that not everybody has seen and not everybody has
3 had the opportunity to question. And therefore, we have these two maps, which as Rep. Daley
4 pointed out, is unprecedented. As a member of the same team, and we all are on the same team, I
5 think it is incumbent upon us to share the information that has gone into this process so that we
6 can have the full opportunity to vet it, to question it, to see if it's correct. It's irrelevant that
7 somebody somewhere is going to file an appeal. They are going to do that whether we all vote up
8 on this or all vote down on it. Somebody somewhere is going to file an appeal. But we need to
9 work together and share the information that's gone into the drawing of these maps so that we
10 can put the best product forward for Florida. And for that reason, I am voting no.

11 The Speaker: Representative Willhite.

12 Matt Willhite: Thank you Madam Speaker. I yield back the balance of this time.

13 The Speaker: Having yielded back the balance of the time in this segment, Representative
14 Clemons you are recognized.

15 Charles Clemons: Thank you Madam Speaker. We would like to yield the floor to
16 Representative Perez.

17 The Speaker: Representative Perez in debate.

18 Daniel Perez: Thank you Madam Speaker. Members, before we go down, some simple
19 points that I want to address with you all. I did want to point out the job that Chair Leek and
20 Chair Sirois have done to make sure that this process was thorough, well thought out, inclusive.
21 They deserve an immense amount of credit and it has to be said more than once. I want to talk
22 about consistency. It is an important part of this process and I've heard multiple members talk
23 about cities or counties being split. But in comparison to the benchmark that was used in this

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1 process, I want to point out three simple facts. The first one is that the 2020 census shows us
2 seven counties with populations greater than the ideal population of most congressional districts.
3 The proposed maps before us, though, they placed these districts within each of the seven
4 counties wholly without being split. The map has only 18 counties that are split, equaling the
5 benchmark map, which also has 18 counties split. Once again, pointing out to the consistency of
6 what is before you. But the one that has really intrigued me the most is this third point. In
7 comparison to the benchmark map, that one had 39 cities split. Our first map out of
8 Congressional Redistricting Subcommittee with Chair Sirois had 27 cities split. A huge
9 difference from 39 to 27. Members we have 412 cities in the state of Florida. Going down to 27
10 city split was very impressive. But the maps before you take us an extra step forward. We are
11 down to 17 city split. So when we hear about the concern of cities being split and counties being
12 split, what is before you is the best version that not only we have seen, but that we can ever vote
13 on. That's important. Members, what is before you is not something that happened overnight.
14 Over a couple of days, over a couple of weeks. There is a lot of work that has been put into the
15 maps before you. Consider them. Consider them. Put the politics aside and see the work and the
16 evolution that has happened from the time we have started to the maps that are before you. I
17 humbly ask that once you guys do that process and you get to the end, you get to the finish line.
18 That you support what is before you. Thank you Chair Sirois and Chair Leek for your work.
19 Thank you Madam Speaker.

20 The Speaker: Representative Clemons.

21 Charles Clemons: Thank you Madam Speaker we will yield back the balance of our time
22 in this segment.

23 The Speaker: Having yielded back the balance of the time in this segment, Representative

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1 Willhite you are recognized.

2 Matt Willhite: Thank you Madam Speaker. Would you recognize Representative Byrd.

3 The Speaker: Representative Byrd in debate.

4 Cord Byrd: Thank you, Madam Speaker, and thank you Leader Willhite. Members, I was
5 not going to debate. I think I said I needed to say on the law and the Constitution last week in
6 committee. But I woke up at 4:30 this morning thinking about Representative Grall's words in
7 her farewell address and it was gnawing on me. The other day, she counseled all of us to apply
8 your philosophy, to be consistent, to know your non-negotiable issues. And I was just thinking
9 about those words lying in bed. It made me think about my favorite movie and that movie is A
10 Man for All Seasons. If you have not seen that movie, you really should take some time. And if
11 you do not know that story, it is a fictionalized historical telling of the divorce of Henry VIII,
12 King of England. He wanted a divorce from his wife, it was a Catholic nation, the Pope would
13 not grant him the divorce. His chancellor was Thomas Moore, the patron saint of all lawyers.
14 Thomas Moore was a devout Catholic and he respected his king but he respected God more.
15 There is a famous scene in the movie and Thomas Moore is talking to the Duke of Norfolk. The
16 Duke says this, he says, oh confound all this. I am not a scholar. I don't know whether the
17 marriage was lawful or not. But Thomas, look at these names, why can't you do as I did and
18 come with us for fellowship? Thomas Moore looks at him and he says, and when we die and you
19 are sent to heaven for doing your conscience and I am sent to hell for not doing mine, will you
20 come with me for fellowship. I want to say, as others have said, and I've told the staff personally
21 that are here, and they know this, the great deal of respect that I have for them and their
22 intelligence and their hard work. I know what I know about this because they taught me and
23 instructed me. And to this day, up until this very moment on this floor, I have continued to ask

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1 them questions trying to educate myself. But for me, as I said in the committee last week. This is
2 a matter of the state and federal constitution. And the state constitution does not supplant the
3 federal constitution. It only supplements it. And the pastor of the day said something really that
4 struck me when we were praying and he talked about nobodies and somebodies. This nobody,
5 when I walked, knocked on doors six years ago, told the somebodies in my district, House
6 District 11, that I would always honor my oath to the Constitution, and I promised them that.
7 Every day I have walked on this floor I have tried to live up to that. That doesn't mean, go back
8 to what the words that Thomas Moore said. He didn't tell Norfolk that he was wrong and he was
9 going to hell for doing his conscience. He didn't tell him he was wrong. He said, you believe
10 what you believe and that's okay. But I believe what I believe and that has to be okay too. So
11 members, for those reasons, unfortunately I cannot join you in fellowship today and I cannot
12 support these maps.

13 The Speaker: Representative Willhite.

14 Matt Willhite: Thank you Madam Speaker would you recognize Representative Goff-
15 Marcil.

16 The Speaker: Representative Goff-Marcil in debate.

17 Joy Goff-Marcil: Thank you Madam Speaker. I was on the Redistricting Committee and
18 my problem with these maps are that we were not all in the process. We were told we were in the
19 process but we really weren't and we were given a map and told it was a workshop map when
20 we were asking questions and when we finally got the map we were told we had plenty of time
21 to bring this to our constituents and have public input. So that was the problem I had with the
22 maps. And also what all of my colleagues have said. I think it's worth repeating that the statute
23 of limitations going from four years, 48 months, to 30 days is a blatant attack on the access to

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1 courts and due process of law. So for that reason alone I would probably have to vote no on these
2 maps. Thank you Madam Speaker.

3 The Speaker: Representative Willhite.

4 Matt Willhite: Thank you Madam Speaker. Would you recognize Representative
5 Benjamin.

6 The Speaker: Representative Benjamin in debate.

7 Chris Benjamin: Thank you Madam Speaker. Just for a minute, I want to talk to the issue
8 of the 14th Amendment and the reason that we even needed to be discussing its effect on these
9 maps. It seems that our governor wants maps that are racially neutral. And we talked about racial
10 neutrality when we talked about HB 7 and the fact that now we want racial neutrality when it's
11 been 58 years since we have had the same rights of every other Floridian. Yesterday we
12 celebrated the fact that Florida was celebrating its birthday. You know how long Black
13 Floridians had those rights to be free in Florida? It took another century before we were free in
14 Florida. And in just a few decades of being free, you want now to talk about race neutrality as
15 though the ills of what happened are all of a sudden disappeared. I would love to know how you
16 cancel away centuries away of oppression in just a few decades. We are not quite there yet. So
17 yes, we need to look to race because it was only the 1970s that people who looked like me got to
18 be in these chambers to make these decisions. So yes, we have to look to race now when we talk
19 about these maps. Diminishment is diminishment and we have diminished it just in a few
20 decades of what it took us centuries to get into. We cannot do that. This map as drawn, in all due
21 respect to everyone who was involved in these maps, but our governor is wrong. We have not
22 cured what is wrong. These maps are wrong. Let's vote down these maps.

23 The Speaker: Representative Willhite.

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1 Matt Willhite: Thank you Madam Speaker would you recognize Representative C. Smith.

2 The Speaker: Representative C. Smith in debate.

3 Carlos Smith: Thank you Madam Speaker. Wow, a lot has happened so far today. Some
4 of it we didn't expect. Some folks did, some folks didn't. And y'all know that I like to keep it
5 real. So Imma keep it real. The Florida House of Representatives just got played. We had maps
6 that looked a lot better than what we are seeing today. And we scrapped all of that to satisfy the
7 whims of our governor. Governors are not supposed to interfere in redistricting and I think we
8 were just reminded of why. So what do we do now? What happens next? Should we just replace
9 this with a strike-all? Adopt the governor's map and call it a day? Shall we just give the governor
10 a sharpie? Have at it. Draw your own maps, draw whatever your little heart desires and we will
11 just do this for you. I mean we could, we could totally cede our authority and capitulate entirely.
12 But why should we do that? The question is not whether the Legislature should give the
13 Governor a say. The question is whether the Legislature should give the governor total control.
14 People keep saying, well the governor has veto power over us, so we have to listen to him. But
15 let's not forget members. The Florida House and our partners in the Florida Senate, we have veto
16 power over the governor. And we can override a veto threat. I believe that we can as a chamber
17 come together to adopt maps that are constitutionally compliant. That do not diminish the ability
18 of minorities to elect representatives of their choice, and meet the Fair District standards that the
19 people of Florida have demanded of us. Let's be the best version of ourselves and of the Florida
20 House that I know that we can be and reject this proposal. Thank you members.

21 The Speaker: Representative McCurdy from Representatives Willhite's desk.

22 Travaris McCurdy: Thank you Madam Speaker. We yield back the balance of our time in
23 this segment.

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1 The Speaker: Thank you, having yielded back the balance of the time in this segment.
2 Representative Clemons you are recognized.

3 Charles Clemons: Thank you Madam Speaker. We will yield the floor to Representative
4 Sirois.

5 The Speaker: Representative Sirois in debate.

6 Tyler Sirois: Thank you Madam Speaker. Good morning members. First of all, I think I
7 would be remiss if I didn't apologize to Chair Avila one more time for exceeding my allotted
8 time in speaking yesterday. I will try to keep it brief this morning. But members, it's been a bit of
9 a morning. I wanted to offer a few final thoughts before our vote in a few minutes. Once again, I
10 would like to thank Chairman Leek and Speaker Sprowls for the opportunity to be a part for this
11 once-in-a-decade process. I would also like to thank my subcommittee members, and it's been an
12 honor working with all of you. First, I would like to take a few minutes to talk about the process.
13 This morning I went back to watch a few minutes of our first subcommittee meeting that was on
14 September 23rd of last year. At that meeting and at each subsequent meeting, we took time to
15 review Article III, Section 20, 21 of the Florida Constitution. The constitutional standards
16 provide the guardrails for our work. And I think that Chair Leek said it best when we were
17 working on the state legislative maps. If you are familiar with the Speedway at Magic Kingdom,
18 our constitutional tiers are essentially the guardrails. We can go a little bit this way, we can go a
19 little bit that way, but the guardrails keep us on track. The constitutional standards provide much
20 the same. Throughout the committees and here on the floor, I have listened to many legal
21 theories, opinions, and arguments that propose alternative viewpoints on the redistricting
22 process. And I have to confess to you, and we have heard it many times, I know that I chuckle
23 occasionally when I hear people offer the pretext that I am not a lawyer but, and then they go on

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1 to offer their opinion. Members, I am not a lawyer and that may make me well-suited to this
2 redistricting process, because it's a legislature's role in redistricting to follow the law. Not what
3 the law could be, not what it should be, but what it is today. And I would like to take just a
4 moment as I have in committee and in previous debate to read the law to you. Our two-tiered
5 constitutional standards. The first tier. This is Article III, Sections 20, 21 of the Florida
6 Constitution. No apportionment plan or individual district shall be drawn with the intent to favor
7 or disfavor a political party or incumbent. Districts shall not be drawn with the intent or result of
8 denying or abridging the equal opportunity of racial or language minorities to participate in the
9 political process or to diminish their ability to elect representatives of their choice. Districts shall
10 consist of contiguous territory. Then we go on, members, to our Tier Two standards. Districts
11 shall be nearly equal in population as practical. We know that our congressional districts must be
12 drawn to the person. Districts shall be compact. Districts shall, where feasible, utilize existing
13 political and geographic boundaries. Members, the maps before you today, in my view, check all
14 of those boxes. And I want to talk a little bit more to you about the product. The two-map
15 solution is a creative solution that captures the feedback of all of our stakeholders. All our
16 stakeholders. The public, the members of this chamber, and the governor. The congressional
17 maps provide representation for the people of this state. The Legislature is directed by our
18 Constitution to perform this task. And the governor provides his consent or veto. But all of us are
19 stakeholders and all of us have to make this process work. The bill in front of you today is
20 inclusive of the feedback that we have received to the best of our ability. The primary map
21 provides a more compact configuration in North Florida. The secondary map is a backup. As I
22 end my remarks today, I want to touch on one final issue. This is a little bit broader. But bear
23 with me, because I felt like the perspective was a little bit relevant. Yesterday it was suggested in

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1 debate on the amendment that our two-map approach is somehow an embarrassment and as it
2 turns out while this process has been unfolding over the last several months, I was reading David
3 Stewart's book on George Washington. Katie and I were up in Thomasville. I thought I knew
4 everything there is to know about George Washington. I saw this book on the shelf and started
5 flipping through it and noticed that it covered a lot about his childhood and his early military
6 experience. The book's coverage on the time period of his life is remarkable. But later on, it
7 covers the constitutional convention. One of the grave issues facing the convention that
8 Washington's perspective was given talked about this issue of how they resolved the question of
9 representation with regards to large states and small states. The book goes on to explain that this
10 issue was so divisive that it threatened to disrupt the entire convention. They were worried that it
11 would completely fall apart because they could not come resolve this question. I think today,
12 especially in this room, a bicameral legislature seems like a very ordinary thing. But at one time,
13 it was a very much novel idea. Some might even call it unprecedented. As was said earlier. The
14 product before you today is far from an embarrassment. I want you to know that I am proud of it.
15 In addition to the hard work and adherence to the law it represents in a broader timeless sense it's
16 a continuation of a tradition inherited by the lawmakers that came before us. The bill correctly
17 balances concerns and feedback of all our stakeholders. During the last decade, the Florida
18 Supreme Court said of the House plan that we engaged in a consistent and reasoned approach.
19 Members, when we take up this process again in another decade I will be 47 years old. Probably
20 a little greyer, hopefully a little slimmer. But I want you to know that I will look back on our
21 effort with pride. I want to speak to some of you directly. I know that there is pressure. I know
22 that there pressure. I understand that. But for what it's worth, for what its worth with all my heart
23 I believe we are doing the right thing. I ask you to vote up on this bill.

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1 Speaker: Representative Clemons.

2 Charles Clemons: Thank you Mr. Speaker we will yield back the balance of our time in
3 this segment.

4 The Speaker: Having yielded back the balance of your time, Chairman Leek you are
5 recognized to close on the bill.

6 Tom Leek: Thank you, Mr. Speaker. And members, if I can let me take the temperature
7 down a little bit. But don't get too comfortable. I would like to start with some thank you's and I
8 want to, regardless of where you are on this bill, I want you to at least acknowledge the many
9 countless hours that our staff put into taking your feedback, the committee's feedback and
10 putting producing a work product. So I would like to thank Leda Kelly, Jason Poreda, Kyle
11 Langan, Karen Dearden, Sam Wagner, and DJ Ellerkamp. I would also be remiss if I didn't
12 thank Vice-Chair Randy Fine and Representative Sub Chair Tyler Sirois for all of their effort and
13 support on this issue.

14 And I want to thank all of you who engaged. Members, engagement is not interference.
15 Say what you will about the governor's involvement, at least he engaged. If you vote no and you
16 have engaged, I respect you. We've reached a different conclusion on the same information. But
17 if you vote no and you did not engage, either for purposes of legal strategy or just lack of
18 interest, what are you doing here? Because you see, not able to see the process or see the data is
19 different than not bothering to look. All the data that you need to draw your conclusions has been
20 made available to you on the website and in your packet. Some who screamed the loudest about
21 not being able to see, never bothered to take a single meeting with staff. Not a single meeting.
22 Maybe add that to your list of things about which we should be embarrassed or should have done
23 better. Some of you don't think the governor has a place in this. I disagree. The governor

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1 constitutionally has a place in this. Like I said, at least he engaged. And while I can't speak to the
2 Senate's process, equally I can't speak to the governor's process. But the process I can speak to
3 is the process that we used, the process that this committee and this committee staff used to put
4 legally compliant, constitutionally compliant maps in front of you. And I urge your support on
5 this bill.

6 The Speaker: Chairman Leek having closed on his bill, the question now recurs on final
7 passage for CS for Senate Bill 102. The Clerk will unlock the machine and members will
8 proceed to vote. Have all members voted? Have all members voted? Clerk will lock the machine
9 and announce the vote.

10 Clerk: 67 yeas, 47 nays, Mr. Speaker.

11 The Speaker: Show the bill passes. Members, just a brief note. I think it's worth, when
12 we talk about something that we do once in a decade. I want to thank Chairman Leek and
13 Chairman Sirois for your great work and leading this committee through what is an arduous and
14 tedious and wildly important process for the people of Florida. For our great staff who also had
15 to go through that process, who helped craft this, Leda Kelly and her team who did just a terribly
16 amazing job, meeting with all of you, going through concerns, showing maps, helping draw.
17 They did a fantastic job. You know members, this is a once in a decade process. And may be
18 unique, more so than any other bill that we will handle on this floor. The product and the process
19 represent the integrity and character of the Florida House. And because of the great work that
20 you all have done, I am proud of the product that you just passed off this floor. Read the next
21 bill.

22 [01:41:28]



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