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12   SENATE REDISTRICTING SUBCOMMITTEE MEETING

13   MONDAY, OCTOBER 17, 2011

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21   Transcribed by:

22   CLARA C. ROTRUCK

23   Court Reporter

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1   T A P E D   P R O C E E D I N G S

2   REPRESENTATIVE HUKILL: All right, here we

3   go. All right. The Senate Redistricting

4   Subcommittee is now called to order -- called

5   to order. Thank you.

6   All right. Katie, please call the roll

7   and announce the presence of a quorum.

8   THE CLERK: Representatives Boyd?

9   REPRESENTATIVE BOYD: Here.

10   THE CLERK: Caldwell?

11   REPRESENTATIVE CALDWELL: Here.

12   THE CLERK: Crisafulli?

13   REPRESENTATIVE CRISAFULLI: Here.

14   THE CLERK: Cruz?

15   REPRESENTATIVE CRUZ: Here.

16   THE CLERK: Ford?

17   Hukill?

18   REPRESENTATIVE HUKILL: Here.

19   THE CLERK: Jenne?

20   REPRESENTATIVE JENNE: Here.

21   THE CLERK: Kiar?

22   REPRESENTATIVE KIAR: Here.

23   THE CLERK: Logan?

24   REPRESENTATIVE LOGAN: Here.

25   THE CLERK: Nehr?

1   REPRESENTATIVE NEHR: Here.

2   THE CLERK: Rouson?

3   REPRESENTATIVE ROUSON: Here.

4   THE CLERK: Stargel?

5   Williams, A.?

6   Williams, T.?

7   REPRESENTATIVE T. WILLIAMS: Here.

8   THE CLERK: Workman?

9   REPRESENTATIVE WORKMAN: Here.

10   THE CLERK: Quorum is present, Madam

11   Chair.

12   REPRESENTATIVE HUKILL: All right.

13   Representatives Ford and Stargel have an

14   excused absence.

15   Members, at the end of our last meeting,

16   we discussed how to go forward with meeting

17   Chair Weatherford's request for producing three

18   options, complete options, for State Senate

19   maps in order that we can provide these options

20   to the redistricting committee in a timely

21   manner. Last meeting I raised the point that I

22   believe we need to see essentially the

23   either/or's of each region, in other words, the

24   key decision points of each region, in order

25   that we craft these options. Representative

1   Kiar raised the point that we need to look at

2   specific options for minority communities.

3   Today our staff will be presenting us with

4   these options so that we can discuss them, ask

5   questions and make suggestions. It is possible

6   that the materials in your packet will be more

7   than today's meeting to finish -- will take

8   more than today's meeting to finish.

9   Furthermore, if you have suggestions or

10   requests for additional information, that, too,

11   may be the subject of the next meeting.

12   It is my intent and co-Chair Nehr's intent

13   that the information from today and our next

14   meeting, including both the materials being

15   presented and the collective input of the

16   subcommittee, will be fashioned into

17   approximately three to five PCBs. Along with

18   any member bills that are filed, we could be

19   work-shopping these PCBs during the

20   November 14th interim committee week and

21   possibly beyond.

22   I say all this to make the point that what

23   really happens here is very important, your

24   input is important. If you have any thoughts

25   or suggestions or questions, now is the time to

1   raise these points. This meeting, next

2   meeting, in between meetings, if you wish to

3   talk to myself or Chair Nehr or with our staff,

4   please do that.

5   And with that said, members, are there any

6   questions?

7   If there are no questions, now we will

8   hear today's presentation from our staff

9   director, Alex Kelly. Members, if you have any

10   questions during his presentation, just please

11   catch my attention, and I will stop him at the

12   next appropriate time so that we can ask

13   questions.

14   And with that, Mr. Kelly, you are

15   recognized to address the Committee.

16   MR. KELLY: Thank you, Madam Chair.

17   And, members, as Chair Hukill noted, we

18   are going to go through sort of a series of

19   either/or options in the different regions of

20   the state -- in some cases, a couple of

21   options; in some cases, three or four

22   options -- and take a look at the different

23   suggestions where they possibly differ from

24   each other, where they possibly can work

25   together, and then what other type of effects

1   the different public suggestions and sort of

2   the thoughts from those suggestions create and

3   the opportunities they give you in terms of

4   crafting the Senate maps.

5   Just starting broadly to give you a sense

6   of how the different regions of the state work

7   together -- and I should say, on page two now

8   in the packet, the map of the state that has 11

9   of the counties shaded, the map shows the

10   counties that must just by virtue of their

11   population be split, and we tend to see a

12   clustering of those counties in the I-4

13   corridor. By virtue of that, in all

14   likelihood, your most difficult decisions with

15   the Senate map are also going to occur in the

16   I-4 corridor, because looking at this page and

17   also looking at the next page, you will see

18   that Florida's population is shifting towards

19   the middle of the state, for the most part,

20   some to the southwest, some to the St. Lucie

21   and Martin County areas, but, again, much of

22   the state is shifting to the middle, so the

23   reality is there will be a greater percentage

24   of the districts that are somehow associated

25   with central Florida, and, again, that is where

1   probably the tougher decisions will be made.

2   Moving to the next slide, to get into

3   specifically northwest Florida, first this

4   slide just shows the districts that are in

5   northwest Florida today. Today one of those

6   seats, District 6, the green district, is a

7   30 percent -- has a 30 percent African-American

8   voting age population. None of those seats are

9   effective minority districts in that sense, but

10   still in the process of redrawing district

11   boundary lines, if at the beginning of the

12   process you have a district that has a

13   30 percent African-American population, it is

14   something to consider that at the end of this

15   you may still want to have something close to

16   that.

17   In looking at some of the suggestions that

18   were submitted by the public, the first

19   suggestion and the first, I guess, option, if

20   you will, for the Panhandle and how to draw

21   Senate districts, this is a drawing of

22   horizontal districts. This is submission

23   number seven received by the Legislature. And

24   coming back to the point about the minority

25   population in the Panhandle, this map, this set

1   of districts, achieves the purpose of still

2   keeping that community together and, frankly,

3   looks similar to the current maps. The one

4   noticeable difference from the current maps to

5   this is this in Walton County keeps all of

6   Eglin Air Force Base in the southern district

7   that essentially runs along Highway 98 --

8   Highway 98, and that way acts as an artery for

9   the district. So, again, this is -- this would

10   be an option for drawing horizontal districts

11   that separate coastal communities from more

12   rural communities.

13   Looking at the next map that was

14   submitted, this is map number 64, and it is

15   page six in your packet, the map here,

16   relatively speaking, follows county boundary

17   lines in the Panhandle, what some may refer to

18   as vertical districts. The difference between

19   the first and second district is the City of

20   Crestview is drawn into the orange district and

21   drawn out of the others. So the map drawer who

22   submitted this used the city boundary line as a

23   way to divide the districts.

24   Moving on to the next suggestion, we have

25   coined this a vertical horizontal hybrid. The

1   way that the map drawer did their work, they

2   used Pensacola as a whole. They actually --

3   the first map divided Pensacola. This map did

4   not, it kept Pensacola whole, albeit it divides

5   Escambia County. So the map drawer used the

6   City of Pensacola to essentially anchor the

7   seat and provide its major population. And

8   then for the second district, the map drawer

9   used Panama City as a way, again, to anchor the

10   seat and give it a major population center.

11   And then for the third district and moving west

12   to east, the map drawer used Tallahassee as

13   that major population center. And throughout

14   the presentation we use that term, "anchoring,"

15   as a way just to refer to a major population

16   source within a district, and in all

17   likelihood, it could be potentially the

18   controlling population in the district.

19   REPRESENTATIVE HUKILL: Representative

20   Kiar, you are recognized.

21   REPRESENTATIVE KIAR: Thank you, Madam

22   Chair.

23   I just -- I'm -- anchoring just for my own

24   clarification purposes. So, for example, if

25   there is a district here where we are right

1   now, and a large portion of the population,

2   let's say it would be, you know, where the

3   university is and downtown, that would be

4   considered anchoring, utilizing that part?

5   REPRESENTATIVE HUKILL: You are

6   recognized.

7   MR. KELLY: Thank you, Madam Chair.

8   It is a term we made up in-house, but,

9   yeah, if the major population center of the

10   district happens to be that community, then,

11   yes, we refer to it as the anchor for that

12   district. And that may be looked at a couple

13   of different ways. If you are talking about,

14   let's say, Palm Beach County and a district

15   that 10 percent of it maybe goes into Martin

16   County, well, Palm Beach County as a whole may

17   be what we refer to as the anchor of the

18   district. But when you talk about rural

19   counties and then one major city, that major

20   city may have a population of 100,000 people.

21   The district maybe is five times that size, but

22   that population of 100,000 people is still the

23   most significant concentration of people in the

24   district, and so it is likely to have great

25   influence over the district.

1   REPRESENTATIVE KIAR: Thank you, Madam

2   Chair.

3   REPRESENTATIVE HUKILL: Follow-up?

4   REPRESENTATIVE KIAR: No, thank you.

5   REPRESENTATIVE HUKILL: All right.

6   Members, any other questions at this point?

7   All right, there being none, proceed, Mr.

8   Kelly.

9   MR. KELLY: Thank you, Madam Chair.

10   The next slide is more just for your

11   reference, and it is page eight in the packet.

12   The slide shows two visuals. One, when you

13   look at the Panhandle, the coastal cities tend

14   to be the more populated cities. The rural

15   cities tend to be smaller. If you were going

16   to use the principle that to some degree

17   separated coastal from rural communities, your

18   rural district, just by virtue that it has to

19   be -- has to have a much larger geography

20   because you get your population much quicker

21   along the coastal communities.

22   And the other visual just identify the

23   three largest population centers by county in

24   the Panhandle, although by city you would

25   include the City of Tallahassee there, but by

    1   county -- I'm sorry, Leon County is

    2   highlighted, but the most major population

    3   centers in the Panhandle.

    4   Now, previously we mentioned that you have

    5   to split eight counties -- or, I'm sorry, 11

    6   counties statewide just by virtue of the

    7   population. In the Panhandle, because of the

    8   geography, you have to, no matter what, split

    9   Walton County as well simply because whether

   10   you draw horizontal or vertical districts, in

   11   Walton County, you are going to meet a

   12   population point just because physically,

   13   obviously, you can't go north or south of the

   14   county, and so Walton County has to be divided

   15   in the map as well.

   16   Moving on to northeast -- north central

   17   Florida, again taking a quick look at the

   18   current map, the main point to make here is

   19   that there is a minority access seat in this

   20   region, Senate District 1, which does

   21   traditionally elect African-American

   22   candidates, and that is the seat beginning in

   23   Duval County and going all the way down into

   24   Volusia County.

   25   The other point to mention about this

1   region of the state is Senate District 20,

2   which is essentially at the bottom of the

3   region. It is the purplish district that is in

4   Lake, Marion, Volusia Counties. That district

5   is significantly over-populated, so parts of

6   that district are going to have to go into

7   another district simply because of population.

8   It is over 20 percent over-populated.

9   So in terms of northeast Florida, there

10   were a few decision points that stuck out from

11   the public input as things to consider that are

12   sort of lynchpin type issues as to how you

13   might craft the Senate maps in this part of the

14   state. The first was how you treat the rural

15   communities and whether -- again, actually

16   coming back to the anchoring point, whether

17   your rural communities are tied to at least one

18   urban center or whether they are unto

19   themselves, and the individuals who submitted

20   maps tended to vary as to what they submitted.

21   On page ten, the slide in front of you is an

22   example of a district that is mostly rural

23   communities; however, it has the City of

24   Gainesville in the district, so there is one

25   major population center in a district that is

1   otherwise very rural.

2   Moving on to the next slide, this is an

3   example of a district that was submitted that

4   is predominantly all rural counties, and in

5   this case, there is not one significant

6   population center as compared to the rest of

7   the district, which is important, because as

8   you will see, the population, of course, tends

9   to be along the coast. The population in this

10   region tends to be in Marion County, Lake

11   County, Volusia, Duval. So how you deal with

12   the more rural counties is important, whether

13   you have to split them into two or whether you

14   can put them into one district.

15   The next point that came up frequently

16   about this region that --

17   REPRESENTATIVE HUKILL: Representative

18   Jenne.

19   REPRESENTATIVE JENNE: Thank you, Madam

20   Chair.

21   Mr. Kelly, just a quick question, and I

22   realize that the answer will probably be

23   somewhat anecdotal, but I know that you and the

24   rest of the staff traveled all over the state.

25   What were we hearing? What was the

1   preponderance of comments? Were these rural

2   areas wanting to stay with themselves without

3   an urban core? Was the urban core saying,

4   "Leave us to our own devices, the rural folks

5   don't get it," or were they saying, "No, no, we

6   need a blend of rural and urban"? And I

7   realize it is anecdotal and strictly based on

8   the people that came to the meetings, but was

9   there a preponderance in any specific

10   direction?

11   REPRESENTATIVE HUKILL: Mr. Kelly, you are

12   recognized.

13   MR. KELLY: Thank you, Madam Chair.

14   Yes, Representative, predominantly persons

15   from these counties did note wanting to keep

16   their county whole. There may have been an

17   exception, but generally these counties wanted

18   to be kept whole. Persons from counties like

19   Baker County noted a tie-in to the Jacksonville

20   area, but not necessarily wanted to be tied

21   into downtown Jacksonville. So they noted that

22   it is important for them to be grouped with

23   districts that are on that eastern side of the

24   state, but not necessarily with the more urban

25   districts.

1   There was not a lot of commentary about

2   the role of Gainesville and Alachua County in

3   terms of whether or not to be tied to that.

4   Again, most of the sentiment was more along the

5   lines of just being kept whole and having one

6   Senator or one Representative or whomever to be

7   able to visit and work with on issues.

8   REPRESENTATIVE HUKILL: Follow-up?

9   Go ahead, Mr. Kelly.

10   MR. KELLY: Thank you, Madam Chair.

11   In northeast Florida, one of the major

12   points, and a significant point both

13   substantively and from the technical side of

14   map drawing, is the relationship between Nassau

15   and Duval Counties, because there -- it is the

16   corner of the state, obviously you can't go

17   east or north of that point, and so how you

18   treat these counties is an early decision you

19   make in map drawing and probably a key decision

20   to bring forward to you in that you can,

21   generally speaking, as the public offered,

22   either align Nassau County with other rural

23   counties, and so we refer to that as a regional

24   approach, so tying Nassau into communities like

25   Baker County, Union County, Bradford, or the

1   next suggestion was a more local approach.

2   Nassau and Duval Counties happen to be about

3   the size of two Senate districts, and so more

4   than one map drawer, in this case the map

5   drawer who submitted the seventh map, suggested

6   that Nassau and Duval just be split into two

7   districts. And so it is a dynamically

8   different decision, though, in terms of how you

9   are going to -- how you're going to work with

10   the rest of the map.

11   Moving on to more north central Florida,

12   but south of Gainesville, there were a number

13   of comments at the various public meetings and

14   since then regarding the relationship between

15   Marion, Lake and Sumter Counties, and the

16   points made at the meetings had to do more with

17   the community -- about The Villages community

18   and also Marion County essentially to be kept

19   whole. But the decisions with Marion County

20   and Lake County are also quite significant to

21   how really much of even central Florida

22   unravels. So while there are some substantive

23   points, there's a much larger, bigger picture

24   point with Marion County and Lake and The

25   Villages area, because it is in the middle of

1   the map, and so if you opt to keep this

2   community whole, you are locking yourself

3   towards building districts to the east and west

4   of it; if you break this community apart, it

5   has other -- it has other repercussions. So

6   how you deal with this, how you deal with the

7   request to keep Marion County whole, how you

8   deal with the request to keep The Villages

9   together, actually has a significant impact on

10   the entire region, because it is essentially in

11   the middle of the region.

12   The example here in front of you that was

13   submitted, this map drawer -- I don't know that

14   this map drawer actually new much about The

15   Villages *per se*. This map drawer submitted

16   very much compact districts, almost in a

17   block-by-block fashion, without regard to

18   county or city lines; in this case, happened to

19   wrap in the Sumter County side, Lake County

20   side and Marion County sides of The Villages.

21   So effectively it still provides an example of

22   what the request was.

23   The next submission and the next example

24   to take a look at takes in most of The

25   Villages, it takes in the Sumter and Lake

1   County sides, albeit it does not take in the

2   Marion County side, at least Marion County unto

3   itself. Marion County just has a small portion

4   of The Villages. The one thing that is of

5   substance about this is that running the

6   district to the coast then immediately does

7   impact the prior decisions that we just

8   discussed, how you deal with the rural

9   counties, whether you have to align those rural

10   counties with the larger municipalities, so it

11   is a good example of how these decisions start

12   to collide and start to impact each other.

13   And then, in this particular case, we just

14   drew, essentially, if you were going to try to

15   compromise between the notion of keeping Marion

16   County whole and also keeping The Villages

17   whole, this essentially is an example of

18   keeping most of Marion whole, minus The

19   Villages, and then otherwise keeping Lake,

20   Sumter and The Villages whole, and in this

21   particular case, it is a request that in terms

22   of the spirit of the request, you can actually

23   accommodate both requests. But in both cases,

24   both of these districts would need more

25   population.

1   So in terms of looking at the minority

2   access district that is in northeast Florida,

3   coming back to the phrases of "local" and

4   "regional," and we are now on page 15 in your

5   packet, this is an example submitted by a

6   northeast Florida resident who suggested to

7   take the district that currently runs from

8   Duval County all the way down to Volusia

9   County, to take it almost exclusively into

10   Duval County. Now, this particular map drawer

11   has a little leg to the district that goes into

12   Baker, but this map drawer got his population

13   numbers down to a zero deviation for every

14   district, so presumably that is why the

15   district has the little leg to it. But,

16   otherwise, the district is almost entirely in

17   Duval County. It does reduce the voting age

18   population of the African-American community

19   from approximately 46 percent to 41 percent.

20   REPRESENTATIVE HUKILL: Can we proceed?

21   Life will go on. All right. Proceed, Mr.

22   Kelly.

23   MR. KELLY: Thank you, Madam Chair.

24   So there is a substantive point to be made

25   there that it does reduce the African-American

1   voting age population by five percent in the

2   district; however, it is trying to take

3   advantage of that happenstance that Nassau and

4   Duval Counties happen to equal approximately

5   two districts.

6   And then there were two other approaches,

7   one of which was just submitted to us the other

8   day. This district, which is on page 16 in the

9   packet, attempts to recreate the

10   African-American access seat, running this seat

11   from Duval County over to Columbia and also

12   down to Gainesville. Now, this individual

13   maintained the black voting age population of

14   46 percent in the district, and then the next

15   alternative, which was also recently submitted,

16   attempts to maintain that percentage, and,

17   actually, it failed to do so. This actually

18   reduced the African-American voting age

19   population to under 40 percent, about 39 and a

20   half percent. It is slightly different than

21   the current district. The current district

22   goes into Volusia County. This district stops

23   at the Flagler/Volusia line, so it doesn't go

24   into Volusia anymore.

25   REPRESENTATIVE HUKILL: Mr. Kelly, can I

1   stop you? Representative Caldwell.

2   REPRESENTATIVE CALDWELL: Thank you, Madam

3   Chair.

4   Alex, could you back up one map? And this

5   map kind of got me -- wanted to touch here on

6   something I have been thinking about since our

7   last meeting. In the metrics, we kind of

8   reviewed -- as you know, Mr. Kelly talked about

9   there's 11 counties that have to be split by

10   population, and we just discussed this 12th

11   county because of the geography, and in the

12   current maps, we split 45, and I have been

13   trying to think of what is a tangible result

14   that we can give the voters and show them that

15   we have worked on these maps and tried to

16   actually accomplish what we at least perceive

17   to be their intent. And I think when we look

18   at these, we ought to really be considering can

19   we move the ball closer in the natural

20   direction, in other words, less than 45 splits

21   and closer to the 11, even if we can't quite

22   get there. I think that would be an excellent

23   metric as we look at these maps and think about

24   that.

25   REPRESENTATIVE HUKILL: Thank you.

1   Representative, do you have a comment? No

2   comment. All right. Anything further? All

3   right. Anyone else have a question or comment

4   at this point?

5   Mr. Kelly, proceed, please.

6   MR. KELLY: Thank you, Madam Chair.

7   And so moving to page 18 in your books,

8   this slide just simply shows the

9   African-American voting -- or I should say VTDs

10   in north and northeast Florida with an

11   African-American voting age population of

12   35 percent or greater. So in thinking about

13   the prior couple -- prior three public

14   submissions, attempts to recreate that seat,

15   essentially those seats are attempting to reach

16   out to communities in these areas; of course,

17   the one stayed entirely in Duval County.

18   And the next page is like you looked at

19   before in northwest Florida, just for your

20   reference. These are the five largest counties

21   in northwest Florida -- I'm sorry, northeast

22   and north central Florida. And the one visual

23   that comes up here is that in terms of

24   accommodating equal population, again, how you

25   treat the rural districts, whether or not you

1   go into those population centers, it

2   essentially cuts this region in half. And when

3   you think about the submission earlier that

4   essentially created a large, purely rural

5   Senate district, it essentially walked around

6   these counties to create that Senate district.

7   I am moving into central Florida. This is

8   the current Senate map for central Florida, and

9   of note in this area in Orlando, there is a

10   performing African-American district.

11   Regarding the various sort of either/or

12   scenarios of public submissions for this

13   region, a major point that came up both in

14   Orlando and in Brevard County was the notion

15   of, A, giving Brevard County its own entire

16   Senate seat, but then B, also not connecting

17   Brevard to Orange County. And likewise,

18   actually, that suggestion came up from both

19   Brevard County residents and Orange County

20   residents. In this particular case, Brevard

21   would be getting an entire Senate seat unto its

22   own, and it is, for the most part, although

23   there is a little bit of crossover, for the

24   most part, it is disconnected from Orange

25   County.

1   And this is just an example of the

2   opposite. In this case, an Orange County

3   district that was submitted, again, recently

4   that grabs the Titusville community and some of

5   the beach communities and ties them together.

6   In looking at Orlando and Orange County,

7   there were some interesting and different

8   approaches as to how to draw districts for the

9   county. In this particular case, the

10   individual actually very much adhered to city

11   boundary lines. Pretty much nobody adhered to

12   the city boundary lines of the City of Orlando

13   itself, its city boundary lines are rather

14   awkwardly shaped, but in terms of the other

15   cities in Orange County, in Seminole County,

16   this submission here very much walks around

17   those city boundary lines, which in some cases

18   they are very, very close to each other, but up

19   next to each other, so it is a very difficult

20   task to do so, but that is what the map drawer

21   accomplished here was using those city boundary

22   lines, and in effect doing so separating some

23   of the population centers.

24   This particular map drawer, which is the

25   24th page in the packet, this particular map

1   drawer took an approach that appeared a couple

2   of times, which is to separate downtown Orlando

3   from the west side of the county, east side of

4   the county, and then grouping just a little bit

5   of the county, the northern part of the county,

6   with Seminole. Seminole County plus about

7   40,000 residents, give or take, equates to a

8   Senate district. And so that suggestion came

9   up more than one time, but, again, a western,

10   eastern, northern and downtown division. And I

11   will note, though, that this submission did not

12   accomplish the purpose of recreating some form

13   of the African-American seat in Orange County.

14   REPRESENTATIVE HUKILL: Mr. Kelly, could

15   you stop? Representative Cruz, do you have a

16   question?

17   REPRESENTATIVE CRUZ: Thank you, Madam

18   Chair.

19   I just want to mention and ask a question

20   if I am missing something here, but you are

21   speaking of terms in counties, and I am looking

22   at these maps and I am having a really hard

23   time following you, because I don't see

24   anything that designates counties. I see what

25   designates districts with colors, and I can --

1   underneath the overlay of colors, I can see

2   cities, but I don't see anything that tells me

3   counties. So if I am not really familiar with

4   the counties, I am having a hard time here.

5   What am I doing wrong?

6   REPRESENTATIVE HUKILL: Go ahead, Mr.

7   Kelly.

8   MR. KELLY: Thank you, Madam Chair.

9   I apologize, it is probably just difficult

10   to see with all of the layers of information

11   there. In this particular case, with this

12   slide, we highlighted -- we highlighted the

13   boundaries of Orange County to help out, but

14   you are right, some of the slides are more

15   difficult to see. For the future, what we can

16   do is we can label the counties more

17   specifically, if that helps.

18   REPRESENTATIVE HUKILL: That's good.

19   REPRESENTATIVE CRUZ: Thank you.

20   REPRESENTATIVE HUKILL: Representative

21   Cruz, is that good?

22   REPRESENTATIVE CRUZ: That is good.

23   REPRESENTATIVE HUKILL: Thank you.

24   Proceed, Mr. Kelly. Oh, you have another

25   question, Representative Boyd, and then

1   Representative -- I'm sorry, just

2   Representative Boyd. Go ahead.

3   REPRESENTATIVE BOYD: Pardon me. Thank

4   you, Madam Chair, and I guess following up on

5   Representative Cruz' remark and then I think

6   Representative Caldwell touched on it and,

7   Alex, you might have just touched on it with

8   the city boundaries. I understand the idea

9   there of trying to keep things geographically

10 kind of concise, but county, city, whatever,

11 but I don't want us to lose the importance or

12 relevance of boundary -- other boundary lines

13 that might be important, roadways, rivers,

14 waterways, those types of things as well. So I

15 understand the reason to split, but I hope we

16 are taking into consideration some of those

17 other, you know, if you will, geographical

18 boundaries as well as we look at these.

19   REPRESENTATIVE HUKILL: Thank you,

20 excellent comment. Thank you.

21   All right. Yes, Representative Workman.

22   REPRESENTATIVE WORKMAN: Thank you. I

23 don't mean to make this a debate, but I was

24 really excited about the comment that Caldwell

25 made. I don't mean to debate you,

1   Representative Boyd, but, you know, we're going

2   to use all those things, roadways, county

3   lines, all that stuff, and if we can't set a

4   goal as a committee that we are going to do

5   better than that, which is what, like 45 now,

6   we split 45 counties, if we can't do better

7   than that, I think we are going to shortchange

8   ourselves. I think we should look at making

9   that almost a policy, Chairman, that we look to

10   cut counties more than we have now, fewer

11   counties now than we do. So fewer than 45 I

12   think should be a minimum goal here.

13   REPRESENTATIVE HUKILL: Well, you know,

14   Representative Workman, that is good, it goes

15   back to Rep Caldwell's also comment, which was

16   an excellent comment, and we heard from the

17   public, too.

18   Did you want to comment on that, Rep Boyd?

19   REPRESENTATIVE BOYD: No -- thank you,

20   Madam Chair. No, I wouldn't debate, I was just

21   looking at the big picture. That was just my

22   only consideration.

23   REPRESENTATIVE HUKILL: All right. On the

24   same comment, Representative Kiar? No

25   comments?

1   REPRESENTATIVE KIAR: I was going to ask

2   why --

3   A VOICE: I told him not to.

4   REPRESENTATIVE HUKILL: Look at this face.

5   All right, members, proceeding. All

6   right. Any other comments on that issue?

7   All right. There being none, would you

8   proceed, Mr. Kelly?

9   MR. KELLY: Thank you, Madam Chair.

10   The next item in your packet is --

11   actually, about three or four recent

12   suggestions have all proposed something similar

13   to this, which is creating a Hispanic access

14   seat in the Orange and Osceola County area, and

15   actually, this seat also extends cross

16   basically the Poinciana community into Osceola

17   County -- sorry, into Polk County as well, and

18   so it is a three-county Hispanic access seat.

19   The voting age population of the seat would be

20   approximately 48 percent, and it is similar in

21   geography to -- if you recall from the Orlando

22   public meeting where a proposed congressional

23   district -- a Hispanic access seat was

24   submitted as well, so it is a similar geography

25   to that.

1   And then in this particular case, the next

2   suggestion, just as an example of maintaining

3   the existing minority representation in Orange

4   County, this submission is just a recreation

5   of -- or a similar district to the existing

6   African-American seat in Orange County. The

7   seat has a -- almost a 34 percent black voting

8   age population, although it also has almost a

9   36 percent Hispanic voting age population as

10   well. So if you think about this -- this idea

11   compared to the prior, they do cross over in

12   terms of some of the geography.

13   And just looking at -- the next two slides

14   look at the major concentrations of the

15   African-American community and of the Hispanic

16   community in that central Florida area, and,

17   again, you can -- when you look at the slides,

18   you can kind of get a sense of how those

19   individuals probably drew those districts.

20   And, in fact, looking at this particular slide,

21   the major concentration of the Hispanic

22   community in Orange, Osceola and Polk almost

23   follows -- near follows the exact boundary

24   lines of that district that was submitted, and,

25   again, just for your reference, as far as

1   central Florida goes, the larger counties in

2   the region, which is most of the region, it is

3   a fast-growing region of the state.

4   So moving into southeast Florida, this is

5   the current map -- it doesn't go all the way

6   down to the Keys, but this is the current map

7   for most of the region. There are two

8   African-American majority districts in

9   southeast Florida, there are three Hispanic

10   districts that are in southeast Florida, and so

11   those issues tend to be of a greater scale in

12   southeast Florida because it tends to

13   dramatically affect the drawing of all the

14   districts in southeast Florida.

15   In terms of the different options that

16   came forward, coming back to that phrase,

17   "anchoring," this is an example right here in

18   terms of Palm Beach, Broward and Dade in terms

19   of the map drawer didn't necessarily always

20   abide by county lines and city lines, but what

21   they did do was they did essentially appear to

22   assure that each county had a certain committed

23   number of majority seats, a majority -- I say

24   majority, the majority of the seat's geography

25   and population is in one county or the other.

1   And that was in terms of the -- particularly

2   the meetings in Palm Beach, the meetings in

3   Broward and Miami, that was a particular

4   concept that came up frequently reflecting back

5   on the Palm Beach County Commission when they

6   testified -- made the point that they were okay

7   with a district perhaps going into Martin

8   County, but what they wanted to be assured of

9   was that at least three Senate seats, or a

10   majority in Palm Beach County. And, again,

11   there was similar sentiment for Broward and

12   Miami-Dade.

13   The alternative -- one of the alternatives

14   to that that was brought forward a number of

15   times is drawing more coastal-based districts

16   in southeast Florida, and this is an example of

17   that. Neither one of these examples unto

18   themselves, because of them, causes any

19   particular harm to the African-American or

20   Hispanic districts that are in southeast

21   Florida. So by virtue of adopting one of these

22   or looking at both of them, neither of them

23   just has an automatic effect in that manner.

24   Moving to the next slide, submission

25   number 86, which is on page 35 in your packet,

1   in this particular case, the map drawer drew

2   very square districts, and where they are not

3   squared, frequently used roadways as a way to

4   create an edge to the district, but very

5   frequently used square districts. This

6   particular submission did have some impact on

7   the African-American seats in this part of the

8   state. No real substantial impact on the

9   Hispanic seats, but it did impact the

10   African-American seats in the part of the

11   state. So in terms of weighing those options,

12   and it may have just been this map drawer's

13   submission, but this was the one of the three

14   that noticeably an effect on minority

15   representation in southeast Florida.

16   Moving on to the next couple of slides,

17   which are both on page 37 in your packet, these

18   show an example of creating and recreating --

19   in this case, recreating an African-American

20   majority seat in Palm Beach and Broward

21   Counties. This is similar to the existing

22   district today.

23   In the next slide, the individual, which

24   is the 56th submission we received, the next

25   slide shows an African-American majority seat

1   solely in Broward County. And a consideration

2   to make in terms of if you were going to adopt

3   a seat like that is the African-American

4   communities in Riviera Beach in Palm Beach

5   County would have a contention that they have

6   been removed from a seat where they could elect

7   a candidate of choice. And so when you go

8   through decisions like this, you are not only

9   thinking about retaining a seat -- in this

10   case, this does retain an African-American

11   seat, but you are thinking about the community

12   that is no longer in the seat and whether or

13   not you would want to make sure that maybe they

14   are meaningfully put all together in one seat,

15   or you would just want to make sure that you

16   walk through very carefully how you put that

17   community in a different district.

18   Moving on to the next -- the next item

19   dealing with Miami-Dade and Monroe Counties,

20   this particular submission maintained the

21   African-American access seat that comes out of

22   Miami-Dade and Monroe Counties, albeit very

23   different looking than the existing Senate

24   District 39 today. The seat today is actually

25   a Hispanic plurality. It is about 29 percent

1   African-American, 45 percent Hispanic; however,

2   it has performed for African-Americans. In

3   this particular case, what the map drawer did

4   was actually make the seat significantly more

5   African-American, took it up to almost

6   45 percent. However, what they did was they

7   did so at the expense of a district, again,

8   that looks very similar to the current Senate

9   District 29. They brought that seat below the

10   majority-minority status, so there was a

11   consequence to their effort to try to make this

12   seat more African-American.

13   In this particular case, in map 72, the

14   map drawer drew a fourth Hispanic majority seat

15   in south Florida, which appeared in several

16   different suggestions that were submitted by

17   the public. This particular one, it is in all

18   likelihood that the actual population is high

19   enough that it would truly be a Hispanic

20   majority seat. In terms of whether you would

21   make a decision to create a fourth Hispanic

22   seat, you have to be very careful that the

23   actual number of citizens and registered voters

24   who are Hispanic is actually high enough to

25   make it an effective minority district;

1   otherwise, it could appear to have -- it could

2   appear to be, but not actually turn out to be,

3   and that is an important consideration under

4   Section 2 of the Voting Rights Act and just in

5   terms of how you create these districts. Now,

6   that said, this seat does eliminate that

7   African-American access seat, so there was a

8   trade-off for this map drawer and several

9   others who submitted a very similar -- very

10   similar item.

11   Just coming back to the southeast -- the

12   three major southeast Florida counties, Palm

13   Beach, Broward and Dade, the next few slides --

14   in this case, this is -- it doesn't say on the

15   slide, but this is the African-American voting

16   age population concentrations in Palm Beach

17   County. In Broward County, where before you

18   saw that majority-minority seat submitted in

19   Broward County, that seat pretty much tracked

20   the boundaries of these VTDs. This is

21   Miami-Dade County, African-American.

22   And then a thing to note, and we will

23   bounce back and forth between a couple of

24   slides here, is in looking at Palm Beach

25   County, this is the Hispanic community of Palm

1   Beach County. If you go back just a few pages,

2   you will note the close proximity of the

3   African-American and Hispanic communities in

4   Palm Beach County. Again, an issue you have to

5   deal with in Palm Beach and Miami-Dade, in

6   Orlando, the examples that we looked at earlier

7   of attempting to create or recreate an access

8   or majority-minority seat, but yet you could

9   potentially intermix the two -- intermix

10   African-American and Hispanic, and so there

11   could be an expense to creating one seat at the

12   cost of the other. So just something to think

13   about. And this is the Hispanic community in

14   Broward County and Miami-Dade as well.

15   Now, in terms of why we covered Palm

16   Beach, Broward and Miami-Dade and didn't get so

17   much into Martin and St. Lucie, the reality of

18   drawing seats in southeast Florida is that

19   those three counties are going to drive most of

20   the decisions, because it is where most of the

21   population is. And so oftentimes you see, in

22   maps that are submitted, very frequently you

23   see at least one Senate district that runs from

24   the top edge of Palm Beach County into Martin,

25   because oftentimes the map drawer is focusing

1   on the areas of biggest population, complying

2   with the Voting Rights Act, and also, for

3   practical purposes, oftentimes you start at

4   Monroe and work your way into Miami-Dade.

5   And for southwest Florida, there is a

6   little bit of overlap between southeast and

7   southwest because of the existing Senate

8   District 39 and some of the communities that

9   are affected by the Voting Rights Act, but this

10   is the current map for southwest Florida, and

11   there is in Tampa an African-American access

12   seat that runs from -- runs -- I should say

13   runs from Hillsborough County into Pinellas,

14   down into Manatee, and then there's also the

15   African-American access seat that comes over

16   into Collier County from the Keys and from

17   Miami-Dade. So there are a couple of

18   considerations for this region of the state

19   regarding minority access.

20   In terms of the different kinds of

21   suggestions and sort of -- again, sort of

22   either/or type scenarios for the southwest

23   region, there were three general kind of looks

24   that were given in terms of Hillsborough all

25   the way down into Lee County, excluding Collier

1   from this point. In this particular case, this

2   is taking a look at Pinellas and Hillsborough

3   Counties. The map drawer effectively put two

4   districts almost entirely in Pinellas, although

5   not completely, one seat does cross over into

6   Hillsborough. The map drawer did put two seats

7   entirely in Hillsborough County, the one that

8   is right there along the waterfront that has

9   the bridges, and then the seat that is shaded

10   in white. The seat that is shaded in more of a

11   pinkish red color, that seat actually is about

12   half in Manatee County, so that seat actually

13   is probably about 50/50 Hillsborough and

14   Manatee. But, anyway, the crux of this

15   submission was this person gave basically each

16   county two dedicated voices in the State

17   Senate.

18   Here is another example of a similar

19   concept where the map drawer, actually the City

20   of Bonita Springs, submitted this map that

21   included almost all of Lee County, excluding

22   Cape Coral. Lee County happens to be about the

23   size of four State House districts, so -- very,

24   very near to it, so -- and Cape Coral happens

25   to be about the size of a House district, so

1   the map drawer effectively took -- if you were

2   drawing a House map, the map drawer effectively

3   took one district, put it into -- or one part

4   of the county, I should say, and put it into

5   another -- another district. And so -- and

6   this would be giving Lee County its own voice

7   in the State Senate.

8   This map drawer took a big chunk of the

9   rural counties, or rural communities in

10   southwest Florida, putting them all into one

11   district, and this is on page 46 in your

12   packet. In this particular case, all the

13   communities that are to the west of the rural

14   district equates to about two and a half Senate

15   seats. So you would have to then allot those

16   communities into about two and a half coastal

17   Senate districts. And this individual, in

18   terms of coming back to the point of using

19   different geographical boundary lines, this

20   person leaned heavily on Interstate 75 as a way

21   to divide the communities.

22   In this particular suggestion, what was

23   interesting -- and this particular map

24   drawer -- and this is on page 47 in your

25   packet. This particular map drawer separated

1   rural from coastal counties, and did so via

2   county lines, but then within those districts

3   did not adhere to county lines. So it was

4   interesting to see how this map drawer used the

5   counties as their way to say the county is

6   either rural or coastal, but then within those

7   communities crossed county lines and used other

8   boundaries for their purposes. And what you

9   find oftentimes in looking at Collier and Lee

10   Counties is the usage too in terms of the

11   waterways as a way to divide the different

12   districts, and that appears in a number of the

13   submissions.

14   And coming back up to Tampa Bay, in terms

15   of the minority access district, this was one

16   of the closest submissions that came close to

17   the current African-American voting age

18   population for the district in -- again, in

19   Hillsborough, Pinellas and Manatee County.

20   This district has about a 35 percent

21   African-American voting age population. I

22   believe the current district is around

23   37 percent. The one challenge that you have

24   with Pinellas County is that Pinellas County's

25   population actually declined. So in terms of

           1   maintaining a district like this -- and this

           2   district does fall under the jurisdiction of

           3   Section 5 of the Voting Rights Act because of

           4   its Hillsborough County affiliation -- in terms

           5   of maintaining a district like this, those

           6   population issues can be a real challenge and

           7   can require a lot of effort for this single

           8   district.

           9   And then in terms of Collier County, this

          10   was the submission you just saw for southeast

          11   Florida, same information, but, again, this

          12   particular person took the Hispanic communities

          13   from Miami-Dade over into Hendry and Collier to

          14   create a Hispanic majority seat. There were a

          15   number of public comments from Collier County

          16   residents about preferring to be represented by

          17   a Hispanic Senator as opposed to an

          18   African-American Senator, and this person -- I

          19   don't know if that was their intent, but this

          20   person created a seat that created that effect.

          21   And just like the other regions, the next

          22   couple of graphics just show you the

          23   concentrations of the African-American and

          24   Hispanic communities in parts of southwest

          25   Florida, in this case, Hillsborough, Pinellas

1   and Manatee Counties, and actually, I think

2   even the bottom of that actually maybe even

3   gets into Sarasota. I am not sure if it cuts

4   it off or not, but -- and then in this

5   particular case, the Hispanic communities in

6   Collier and Hendry Counties, both counties

7   covered under Section 5 of the Voting Rights

8   Act. And southwest Florida's major population

9   centers in terms of its largest counties are a

10   little more spread out than some of the other

11   counties when you compare this region to

12   central Florida or compared to -- or compared

13   to southeast Florida. So in terms of drawing

14   districts, completing districts, your middle

15   rural communities, oftentimes if you look at

16   what the map drawers have submitted, they

17   oftentimes are reaching out to pieces of the

18   more urban areas to complete their district.

19   Oftentimes the more rural county districts that

20   were presented for this region, they would

21   reach out and grab a piece of the rural parts

22   of Hillsborough County or a significant chunk

23   of let's say Charlotte County to complete and

24   get enough population.

25   And with that, Madam Chair, that is the

1   presentation.

2   REPRESENTATIVE HUKILL: Thank you very

3   much, Mr. Kelly. Excellent presentation.

4   All right. Members, do we have any

5   questions? Comments? Come on. Representative

6   Jenne, I know you are holding something back.

7   REPRESENTATIVE JENNE: I mean, if you want

8   me to, I can.

9   REPRESENTATIVE HUKILL: No, it is up to

10   you, if you would like to comment.

11   REPRESENTATIVE JENNE: No, ma'am, you

12   always are wonderful with that. No thank you.

13   REPRESENTATIVE HUKILL: Okay.

14   Representative Rouson.

15   REPRESENTATIVE ROUSON: Yes, Madam Chair.

16   REPRESENTATIVE HUKILL: Please go ahead.

17   REPRESENTATIVE ROUSON: My comment is you

18   have run a good meeting.

19   REPRESENTATIVE HUKILL: All right,

20   members, gosh, I know, there must be something

21   going on that people want to get out, but that

22   is good, I really appreciate that. Yes,

23   Representative Kiar.

24   REPRESENTATIVE KIAR: I apologize, Madam

25   Chair.

                1   REPRESENTATIVE HUKILL: Go ahead.

                2   REPRESENTATIVE KIAR: I know we were just

                3   about to end.

                4   REPRESENTATIVE HUKILL: Absolutely.

                5   REPRESENTATIVE KIAR: Actually, I don't

                6   have a comment, but I did -- there was one part

                7   that I apologize I missed, and I was just

                8   wondering if you could go back to it real fast,

                9   if that is okay.

               10   REPRESENTATIVE HUKILL: Sure, what was

               11   that?

               12   REPRESENTATIVE KIAR: It was just the --

               13   on page 35, you were going through the map and

               14   you were giving a little presentation on it,

               15   and I just was wondering if you could just

               16   quickly give a synopsis of that one more time.

               17   I apologize, I was taking notes on every one.

               18   REPRESENTATIVE HUKILL: Page 35, is that

               19   it?

               20   REPRESENTATIVE KIAR: Page 35.

               21   REPRESENTATIVE HUKILL: All right. We

               22   will wait for Mr. Kelly to direct his attention

               23   to that and then recognize him. Go ahead,

               24   please.

               25   MR. KELLY: Thank you, Madam Chair.

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 1           The -- what we were looking at were

 2      different ways that southeastern Florida,

 3      Miami-Dade, Palm Beach, Broward County

 4      districts, are divided amongst the different

 5      maps, and there were three general ways that

 6      they were divided.  Some individuals submitted

 7      coastal districts.  Some individuals submitted

 8      districts that showed an intent to have the

 9      majority, if not a whole seat, in a county to

10      give that county a dedicated voice in the

11      Legislature.  But other individuals submitted

12      what I would refer to as more squared

13      districts.  And just in terms of looking at

14      these submissions, the square district

15      submission, or one observation is that it did

16      affect the African-American districts.  It may

17      have just been the submission, I don't know

18      that that is an entire pattern, but it was the

19      only of the three types that did have a clear

20      effect on any of the minority districts in

21      south Florida.

22           Now, it is very possible that if you

23      connect back to the Broward County submission

24      of a majority -- oh, there was -- in effect, it

25      was in Broward County -- a majority-minority
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1   seat in Broward County, that district was

2   relatively square, too. So it may have just

3   been where the lines were picked for this

4   submission, but, again, it was the only one

5   that affected those communities.

6   REPRESENTATIVE HUKILL: Anything else?

7   Okay, that is fine. Members, this is the time

8   to ask questions, comments, we have him here.

9   Okay, members, there being no further

10   comments or questions, I want to thank you for

11   your participation, it is extremely important.

12   Next meeting we are going to have a

13   presentation on redistricting data, and that is

14   a precursor to the kind of data that we will be

15   presented with when we hear PCBs and/or member

16   bills, so we will have some good information on

17   that.

18   And if there are no further comments,

19   questions or anything else, with that,

20   Representative Horner moves we rise. Thank

21   you.

22   (Whereupon, the proceedings were

23   concluded.)

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 1              C E R T I F I C A T E

 2    STATE OF FLORIDA    )

 3    COUNTY OF LEON      )

 4            I hereby certify that the foregoing transcript

 5    is of a tape-recording taken down by the undersigned,

 6    and the contents thereof were reduced to typewriting

 7    under my direction;

 8            That the foregoing pages 2 through 48 represent

 9    a true, correct, and complete transcript of the tape-

10    recording;

11            And I further certify that I am not of kin or

12    counsel to the parties in the case; am not in the

13    regular employ of counsel for any of said parties; nor

14    am I in anywise interested in the result of said case.

15            Dated this 20th day of February, 2012.

16

17

18                              _____

19                              CLARA C. ROTRUCK

20                              Notary Public

21                              State of Florida at Large

22                              Commission Expires:

23                              November 13, 2014

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