



LEAGUE OF WOMEN VOTERS® OF FLORIDA

Capitol Report 2012

March 23, 2012

Filed by: Ben Wilcox, LWVF Governmental Consultant

Extraordinary Session Update

The Florida Senate returned to Tallahassee this week to redraw its district map in hopes of complying with the opinion of the Florida Supreme Court, which found its original plan invalid. Senate Redistricting Chair Don Gaetz released the first draft of the new plan last Saturday and gave Committee members until Monday at noon to file any amendments. Unlike the first map, the new plan drew criticism not only from Democrats, but also Republicans.

Democrats argued that the new Senate plan was as flawed as the first plan and called it an attempt to “stall implementation” of the anti-gerrymandering Fair Districts’ standards. Most of the criticism from Republicans centered on the way the new plan handles minority districts. The Republicans, mostly Hispanic legislators from South Florida, complain that the Senate map unfairly packs Hispanics into three Republican-leaning districts while carving out a slim Hispanic majority in District 35, now held by Senator Gwen Margolis. They argue that if the districts were evened out, there could easily be four Hispanic seats, instead of the current three.

The task before the Senate is to respond to ten issues identified in the state Supreme Court’s decision to throw out the Senate’s redistricting maps. The Court found that 8 of the Senate’s 40 districts were invalid and did not meet the requirements of the Fair Districts’ amendment five. It determined that the City of Lakeland had been unfairly split into two Senate districts when it could have been contained in one. It also found that the system the Senate used to number the districts was designed to favor incumbents and they ordered the Senate to renumber the districts.

The Senate Reapportionment Committee met Tuesday and the day began with Committee Chair Gaetz offering the members bagels and cream cheese. But the goodwill he gained was short-lived as committee members spent most of the day feuding over the proposed plan. Alternative maps were proposed as amendments by Senators Miguel Diaz de la Portilla and Jack Latvala, but they were withdrawn by the sponsors who suggested they would come up again as amendments when the bill was debated by the full Senate. Much of the debate centered around how the districts would be numbered so as not to favor incumbents who could potentially get to serve 10 year terms instead of 8 years depending on whether they

have an odd or even-numbered district. Late in the afternoon, the committee agreed to reconvene at 8:00 a.m. the next morning to resolve the issue.

On Wednesday morning, Senators resumed their discussion on numbering. After much debate, they agreed to resolve the numbering problem by holding a lottery to randomly determine which districts get two or four-year terms. In a scene reminiscent of a Lotto telecast, committee members watched as the Secretary of the Senate spun cages with green and white bingo balls until all the districts were numbered.

The process was interrupted when Senator Rhonda Storms called a point of order to object to the “casting of lots” method of selecting the district numbers. She accused the Senate staff of “illegal gambling” and said they could be arrested on misdemeanor charges. Committee Chair Gaetz refused to stop the drawing and suggested that Senator Storms should seek an opinion from the Attorney General.

With all that drama on Wednesday, Thursday’s session of the full Senate seemed sedate. All but one of the amendments were either withdrawn or defeated. The amendment that passed by Senator Latvala improved the bill according to Senator Gaetz. Unlike the first map that pitted no incumbents against each other, the new Senate map has four incumbent Senators pitted against each other. Republican Senator Ellyn Bogdanoff and Democratic Senator Maria Sachs are drawn into the same coastal district in South Florida. Two Republican Senators, Andy Gardiner and David Simmons, are pitted against each other in an Orlando-based district. The Senate passed the plan by a vote of 31 to 6.

It is now up to the House of Representatives to sign off on the Senate plan. House members will return next week to consider it, but they are expected to make no changes. The new plan must be adopted in time to meet a 15 day deadline which ends on Wednesday, March 28th. If this second attempt fails to follow the guidelines of the Fair Districts amendments, it will be the responsibility of the Florida Supreme Court to draw the Senate districts for the next decade.

Get Involved!

Ben Wilcox is the League’s professional lobbyist for the 2012 legislative session. Updates on League legislative issues will be provided on a regular basis through Capitol Report, which is published every week during the session. Important information may also be accessed at www.leg.state.fl.us.

Watch for your Capitol Report each Friday of the session for news on priority issues and what you can do to help. For updates on or copies of proposed legislation, call legislative information at 1-800-342-1827 or visit the Florida Online Sunshine homepage at www.leg.state.fl.us. For more information about the League’s advocacy, check out www.TheFloridaVoter.org