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STATE OF FLORIDA
CONSTITUTION REVISION COMMISSION

APRIL 12, 2017
COMMENCED: 5:00 p.m.

PLACE:
Florida A & M University
Efferson Student Union
Grand Ballroom
1628 South Martin Luther King, Jr., Boulevard
Tallahassee, Florida

REPORTED BY:
ANDREA KOMARIDIS
COURT REPORTER

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COMMISSION MEMBERS PRESENT:

- CHAIRMAN CARLOS BERUFF
- COMMISSIONER PAM BONDI
- COMMISSIONER TIMOTHY CERIO
- COMMISSIONER HANK COXE
- COMMISSIONER ERIKA DONALDS
- COMMISSIONER DON GAETZ
- COMMISSIONER EMERY GAINEY
- COMMISSIONER ANNA MARIE HERNANDEZ GAMEZ
- COMMISSIONER BRECHT HEUCHAN
- COMMISSIONER MARVA JOHNSON
- COMMISSIONER ARTHENIA JOYNER
- COMMISSIONER FRED KARLINSKY
- COMMISSIONER BELINDA KEISER
- COMMISSIONER FRANK KRUPPENBACHER
- COMMISSIONER GARY LESTER
- COMMISSIONER PATRICIA LEVESQUE
- COMMISSIONER ROBERTO "BOBBY" MARTINEZ
- COMMISSIONER RICH NEWSOME
- COMMISSIONER CHRIS NOCCO
- COMMISSIONER JIMMY PATRONIS
- COMMISSIONER WILLIAM "BILL" SCHIFINO, JR.
- COMMISSIONER CHRIS SMITH
- COMMISSIONER BOB SOLARI
- COMMISSIONER CHRIS SPROWLS
- COMMISSIONER JOHN STEMBERGER
- COMMISSIONER PAM STEWART
- COMMISSIONER JACQUI THURLOW-LIPPISCH
- COMMISSIONER CAROLYN TIMMANN
- COMMISSIONER T. NICOLE WASHINGTON

P R O C E E D I N G S

1
2 PROVOST WRIGHT: Good evening. Good evening.
3 On behalf of the interim president of Florida A & M
4 University, Dr. Larry Robinson, my name is Rodner
5 Wright. I'm the interim provost and vice president
6 for Academic Affairs here. And we'd like to
7 welcome you to this important public hearing
8 coordinated by the state of Florida's
9 Constitutional Revision committee -- Commission.

10 The work for -- for which this committee is
11 mandated to carry out is certainly a critical
12 and -- sustainment, growth, and development of
13 Florida for a multitude of reasons. And for that,
14 we are grateful.

15 We are honored to host this special Floridians
16 Speak, We Listen tour hearing with hopes that
17 concerned citizens from the local region will have
18 an opportunity to ensure their voices are heard
19 throughout this extensive process. This is an
20 important opportunity for all Florida residents to
21 speak out on constitutional issues that have a
22 direct impact on our lives.

23 However, once today's proceedings are over, I
24 do hope that you -- that those of you who are
25 unfamiliar with FAMU's campus will have an

1 opportunity to look around and learn a little bit
2 more about us while you're here.

3 Currently ranked by Essence and Money
4 magazines as the No. 1 historically black
5 university in the nation and fifth-best national
6 university for African-Americans, this is a prime
7 opportunity to learn more about why we proudly
8 proclaim that, at FAMU, great things are happening
9 every day.

10 While you are here, we also want you to know
11 that Florida A & M University is fully committed to
12 strengthening and further establishing
13 collaborations between the university and citizens
14 of the local community.

15 Working closely together can only help ensure
16 the best talent available is utilized towards the
17 full development of our region and state, while
18 also providing additional incentives to encourage
19 more of our fellow citizens to work towards and
20 achieving success.

21 So, once again, welcome to FAMU and today's
22 Constitution Revision Commission hearing. Thank
23 you.

24 CHAIRMAN BERUFF: Thank you very much.

25 (Applause from the audience.)

1 CHAIRMAN BERUFF: Thank you. And good
2 afternoon. Welcome, everyone, to the 2017-2018
3 Constitutional Revision Commission, commonly known
4 as the CRC. My name is Carlos Beruff. And I was
5 appointed by Governor Rick Scott.

6 I'm going to introduce all of the folks who
7 are in these two rows. To my left, Commissioner
8 Bondi. To her left, Commissioner Coxe,
9 Commissioner Lester, Commissioner Levesque,
10 Commissioner Timmann, Commissioner -- I want to
11 make sure --

12 COMMISSIONER BONDI: (Inaudible.)

13 CHAIRMAN BERUFF: Karlinsky. Oh, I knew that.
14 Commissioner Karlinsky.

15 Commissioner Stemberger -- is he here?

16 COMMISSIONER STEMBERGER: (Indicating.)

17 CHAIRMAN BERUFF: There he is.

18 Commissioner Donalds, Commissioner Solari.

19 To my right, Commissioner Washington,
20 Commissioner Newsome, Commissioner Stewart,
21 Commissioner Joyner, Commissioner Cerio,
22 Commissioner Thurlow-Lippisch, and Commissioner
23 Nocco -- oh, is he back there?

24 COMMISSIONER NOCCO: I'm here (indicating).

25 CHAIRMAN BERUFF: Oh, there he is. You're the

1 tallest guy in the -- on the panel.

2 (Laughter.)

3 CHAIRMAN BERUFF: Behind me, from left to
4 right, we have Commissioner Martinez, Commissioner
5 Kruppenbacher, Commissioner Gaetz, Commissioner
6 Smith, Commissioner Sprowls, Commissioner Patronis,
7 Commissioner Keiser, Commissioner Gamez,
8 Commissioner Gainey, Commissioner Schi-fano --
9 Schifino -- excuse me. I got it right the second
10 time -- Commissioner Heuchan.

11 COMMISSIONER WASHINGTON: (Inaudible.)

12 CHAIRMAN BERUFF: Who? Oh, Commissioner
13 Johnson is also with us.

14 We would like to thank Florida Agriculture and
15 Mechanical University, more commonly known as FAMU,
16 for hosting us. It's a wonderful facility. And we
17 look forward to hearing your testimony.

18 The invocation today will be presented by
19 Commissioner Lester.

20 COMMISSIONER LESTER: Let's bow our heads. If
21 you would, stand with me, please.

22 (Invocation given.)

23 CHAIRMAN BERUFF: Commissioner Gainey -- if
24 y'all remain standing, Commissioner Gainey will
25 lead us in the Pledge of Allegiance.

1 COMMISSIONER GAINNEY: Please join me in our
2 pledge to the Nation's flag.

3 (Pledge of Allegiance.)

4 CHAIRMAN BERUFF: It's nice to be at the state
5 Capitol. Make it easy for all of the people
6 working up here trying to get the state to move
7 forward and continue the forward momentum we've had
8 for six years now.

9 This week, we announce additional public
10 hearings in Gainesville, Jacksonville, Bay County,
11 Lee County, and Hillsborough County. So, we will
12 continue to travel around the state to listen to
13 Floridians.

14 Why is the CRC important? Pretty unique.
15 In -- in the whole United States, it's the only
16 state that allows one person to make a difference.
17 That's a pretty neat thing. And you don't have to
18 have any -- an attorney to represent you. There's
19 a lot of attorneys up here, by the way.

20 So, what we're looking for is Floridians who
21 care about their state and the future because we
22 only meet once every 20 years. So, any policies
23 that we think are -- can make a difference to the
24 constitution of this great state could be fostered
25 by one individual. That's a -- a very unique

1 possibility.

2 And I actually thought it was -- when I found
3 out about this in November, I thought it was a --
4 pretty neat to -- to participate. So, I'm happy to
5 be part of it.

6 The last CRC, as you all know, was 20 years
7 ago. There was five million less people. And the
8 internet wasn't quite as prominent in everyone's
9 life. And certainly, social media didn't exist.
10 So, we expect to have a lot more volume of
11 participation than in anything in the prior two.

12 Today is the opportunity for people to be
13 heard. And we are going to give everyone two
14 minutes to come up to the podium and make the
15 comments. I will start by naming three people at a
16 time. If you could, line up so we can get
17 everybody heard tonight.

18 We're going to start with -- and you'll have
19 to excuse me because I'm sure I'll mess up. Oh,
20 this one is easy. Eugene LaCross, Richard Van
21 Munster --

22 MR. VAN MUNSTER: I'm coming.

23 CHAIRMAN BERUFF: All right. And Jerald
24 Shuy- -- Shuyman, I think. Jerald Schumann.

25 MR. SCHUMANN: Schumann.

1 CHAIRMAN BERUFF: Schumann. Thank you.

2 Please announce your name when you come up
3 and -- and come forward and talk to us. Thank you.

4 MR. LaCROSS: Gene LaCross. Ready?

5 The United States Constitution Article 6
6 Clause 2: The Constitution and the laws of the
7 United States -- I'm going to put my glasses on.

8 CHAIRMAN BERUFF: You want to step a little
9 closer to the mic, sir, so everybody can hear you?
10 Thank you.

11 MR. LaCROSS: Yeah. You hear me now?

12 The Constitution of the United States
13 Article 6, Section 2: The Constitution and the
14 laws of the United States, which shall be made
15 pursuant thereof, all treaties made or with --
16 which shall be made, under the authority of the
17 United States, shall be the supreme law of the
18 land. The judges in every state shall be bound
19 thereby. And anything in the constitution or
20 law -- oh, I misspoke -- anything the -- state to
21 the contrary notwithstanding.

22 The state constitution, statutes, codes, and
23 org- -- ordinants -- originals cannot apply to the
24 people. They all -- they are within the lawyers,
25 reviewed by the -- yeah, let me start again. They

1 are all written by lawyers, reviewed by lawyers.

2 Many of you are lawyers. And you are
3 prohibited from the -- participating in the
4 government by the U.S. Constitution: Constitution
5 Article 1, Section 9, Clause 8; and Article 1,
6 Section 10, Clause 1; as well as the original 13th
7 Amendment with pro- -- with prohibit the -- the
8 states of the United States Government from
9 allowing Bar lawyers and attorneys from holding any
10 public office, private trust in these United
11 States.

12 Only the people can create a constitution.
13 Only the people can thereby create their form of
14 government. They chose their delegates. They do
15 this delegated and limited with restricted powers
16 of the Government.

17 The people --

18 CHAIRMAN BERUFF: Mr. LaCross, if you could,
19 wrap up, please. You can turn that paper in, by
20 the way. And then we'll add it to our -- our
21 documents to review.

22 Mr. LaCross is Speaker No. 1.

23 Speaker No. 2? Announce your name, please.

24 MR. VAN MUNSTER: Hello, Attorney General.

25 I've sat in your office before.

1 I'm a commercial fisherman. And I have no
2 representation in Florida whatsoever. I have a
3 Florida Fish and Wildlife Conservation Commission
4 that's supposed to be part of the executive branch
5 of the government that has -- that -- that --
6 that -- that nobody can do anything with.

7 1994, we had a citizens' initiative with that
8 limitation (indication). Here is how they did it.
9 Here is a -- here is a picture in Florida Sportsman
10 magazine that was a staged picture that 500,000
11 people saw. It was completely a lie, the whole
12 stinking thing.

13 They had -- they had complete control of
14 the -- of the media. It was done with oil money.
15 I got the list -- I was going to bring it and I
16 forgot -- where the money comes from. And we can't
17 do anything.

18 The Governor, you say, is not even -- can't
19 even do anything, but when I read my constitution,
20 it says that the Governor is the head of the
21 executive branch of the government. All right.
22 So, we've got it.

23 Well, us fishermen are pretty tough. We find
24 a way to fish within the 500 square feet of net.
25 Fished for three years 'til they found out that we

1 were making a living. Then they say, oh, you've
2 got to have net size now. Well, there's no net
3 size in the constitution.

4 I'm going to give this to you, Attorney
5 General, because your man lied through his teeth.

6 COMMISSIONER BONDI: Are -- are you referring
7 to the Governor, sir?

8 MR. VAN MUNSTER: Hmm?

9 COMMISSIONER BONDI: Are you referring to the
10 Governor, sir?

11 MR. VAN MUNSTER: You are the Attorney
12 General, aren't you?

13 COMMISSIONER BONDI: Yes, sir. You said --
14 who lied through his teeth?

15 MR. VAN MUNSTER: Jonathan Glogau.

16 COMMISSIONER BONDI: Oh, Jonathan Glogau.

17 MR. VAN MUNSTER: Johnnie did. Johnnie lied.

18 COMMISSIONER BONDI: Okay. I'll make copies
19 for the entire --

20 MR. VAN MUNSTER: No. No. Okay. Yeah, I'm
21 going to hand this to the -- but anyway -- so, this
22 is what they say, the FWC: The net-limitation
23 amendment was a political decision legitimately
24 arrived at and not a biological matter. It is
25 simply the external framework within -- which each

1 FWC -- which the FWC must operate until changed.

2 Well, there's only 6,000 of us and
3 four million recreational anglers. And they've got
4 fines on us. If I put one mesh in the water, one
5 monofilament mesh in the water, it's five years in
6 prison. Read the rule.

7 CHAIRMAN BERUFF: Mr. Van- --

8 MR. VAN MUNSTER: We've got \$2500 fines.
9 We're pressed in a corner.

10 CHAIRMAN BERUFF: Mr. -- Mr. Van Munster --

11 MR. VAN MUNSTER: They can't make a living.

12 CHAIRMAN BERUFF: Mr. Van Munster, thank you
13 for your comments.

14 MR. VAN MUNSTER: That's the exactly the
15 reason I almost didn't come.

16 CHAIRMAN BERUFF: Thank you.

17 MR. VAN MUNSTER: You're killing us. We'd
18 like to come see you.

19 CHAIRMAN BERUFF: Next speaker, please.
20 Speaker No. 3.

21 MR. SCHUMANN: My name is Jerald Schumann.
22 This is an excerpt from Federalist Papers No. 39 by
23 James Madison: If we resort for a criterion to the
24 different principles on which different forms of
25 government are established, we may define a

1 republic to be, or at least may bestow that name on
2 it, a government which derives all its power,
3 directly or indirectly, from the great body of the
4 people and is administered by persons holding their
5 offices during pleasure, for a limited period, or
6 during good behavior.

7 It is essential to such government that it be
8 derived from the great body of the society, not
9 from an inconsiderable proportion or a favored
10 class of it. Otherwise, a handful of tyrannical
11 nobles exercising their oppressions by a delegation
12 of their powers might aspire to the rank of
13 Republicans and claim for their government the
14 honorable title of republic. It is sufficient for
15 such government that the persons administer- --
16 administering it either be chosen directly or
17 indirectly by the people alone.

18 The people have not chosen you. You were
19 chosen by the self-serving public servants, the
20 political noble class. Many of you are attorneys
21 who are loyal to the Bar union, and to the
22 retirement and enormous wages and/or the government
23 servant class with a bias to their own interests,
24 not the interest of the people.

25 There is no authority for you to revise,

1 amend, or change anything which deals with people.

2 You are impersonating the delegates of the people.

3 CHAIRMAN BERUFF: Thank you.

4 (Applause from the audience.)

5 CHAIRMAN BERUFF: Richard -- Richard Graybill,
6 Paul Stolc, and Barbara Berry, please.

7 Mr. Graybill, you're Speaker No. 4. Thank
8 you.

9 MR. GRAYBILL: Richard Graybill. I took oath
10 in 1961 that I would defend the constitution --
11 could you hold that a moment, please? You people
12 are supposed to have an oath, too.

13 The Florida Constitutions 1838, 1845, '61,
14 '65, '85, and 1968 -- most of them are de facto
15 laws. Florida Constitution of 1838, Article 1,
16 Section 2, states as follows: That all political
17 power is inherent in the people. That's what it
18 says. The power is in the people.

19 And all free governments are found on their
20 authority and established to their benefit.
21 Therefore, they have, at all times, an able,
22 indivisible right to alter and abolish their form
23 of government in such a manner as they deem
24 expedient, not you people here.

25 The 1838, 1861, and 1865 constitution calls us

1 the people and freeman. Several times, it further
2 declares the following: That to guard against
3 transgressions upon the rights of the people, we
4 declare that everything in this article is
5 excepted -- excepted out of the general powers of
6 government and shall forever remain inviolate --
7 meaning that you can't change it and tarnish it any
8 way -- and that all laws contrary thereto and to
9 the following provisions should be void.

10 Then in 19- -- in 1868, the Florida
11 Constitution was radically broken in upon by those
12 who desire power to be lodged in the Bar union and
13 public servants.

14 Public servants always seek to extend their
15 powers over the people and to lessen their rights.
16 History has proven this statement to be true many
17 times.

18 This is why the Founding Fathers provided that
19 the constitution can only be created, revised, and
20 amended by the delegates, chosen by many hands of
21 the people alone. If you check and see what an
22 electorate is and whether persons get emolument
23 from government sources, you can't be a part of it.

24 The Florida Constitution of 1865 does not
25 require complete overhaul; only an amendment to

1 protect the rights of the black people to be the
2 same as the white people.

3 The reconstruction of the Florida -- Florida
4 Constitution fundamentally changed a juror power --
5 the juror means the lawful government. De facto
6 means that it's been subverted, and it's not what
7 it says it is.

8 CHAIRMAN BERUFF: Mr. -- Mr. --

9 MR. GRAYBILL: It looks like it is, but it
10 ain't so. And our day would be fictitious, what it
11 is for what it ain't.

12 CHAIRMAN BERUFF: Thank you, Mr. Graybill. If
13 you could --

14 MR. GRAYBILL: Can I make one statement?

15 CHAIRMAN BERUFF: -- wrap up -- yes, please.
16 Wrap up.

17 MR. GRAYBILL: I've just got this last part
18 right here.

19 CHAIRMAN BERUFF: Great. Thank you.

20 MR. GRAYBILL: I fear you will do more of the
21 same because of these transgressions and your
22 loyalties to the Bar and those who chose you.
23 You're not loyal to we, the people. The 37 of you
24 were not chosen by the people; therefore, you are
25 all imposters and lack any authority to revise and

1 to create a Constitution of Florida.

2 CHAIRMAN BERUFF: Thank you, Mr. Graybill.

3 MR. GRAYBILL: I thank you so much, too.

4 CHAIRMAN BERUFF: Thank you.

5 MR. GRAYBILL: I appreciate you being here,
6 but I hope you don't stay on the panel. You
7 shouldn't be here.

8 CHAIRMAN BERUFF: Okay. So, I suspect I'm
9 going to make a comment that everybody is aware of.
10 The --

11 (Applause from the audience.)

12 CHAIRMAN BERUFF: This Commission -- all we
13 will do -- okay. At some point, we will make some
14 recommendations. We'll travel around the state of
15 Florida. If the -- if the public -- and we think
16 that there's a chance that we can get a 60- --
17 remember, people vote on the ballot. We can't do
18 anything. We do nothing. All we do is put things
19 on the ballot in November of 2018.

20 You still need 60 percent of the Floridians
21 that vote to make a change. We're not changing
22 anything. So, I -- I want to be clear for -- I --
23 if anybody doesn't know that -- I'll say that a few
24 times tonight because it keeps coming up. And I'm
25 going, do they really understand how this thing

1 works? The people will have the power, as they
2 should. Thank you very much.

3 Next.

4 MR. STOLC: Hello. My name is Paul Stolc. I
5 am here as president of the Big Bend Democratic
6 Progressive Caucus here in Tallahassee. And
7 we're -- I've submitted for proposal a amendment
8 for independent redistricting -- excuse me --
9 commission that we are proposing would take away
10 from the Legislature the power to redistrict, and
11 create an independent commission that would be
12 appointed by a 15-member commission -- appointed by
13 the Speaker of the House, the president of the
14 Senate, and the minority parties, as well as the
15 Chief Justice that would en- -- encompass not only
16 the two major parties in the state of Florida, but
17 also include into the consideration the non-party-
18 affiliated people in Florida that are often ignored
19 by the process and not necessarily included in any
20 considerations for, especially, districting and any
21 really political voice in the state of Florida.

22 So, I'll just go ahead and read: The
23 redistricting commission would consist of 15
24 members, no more than six of whom would -- can be
25 registered from the same political party. Persons

1 would be eligible for membership on the commission
2 if they meet certain voter-registration
3 requirements and, during the four years prior, have
4 not served as an elected state official, member of
5 Congress, party officer or employee, paid
6 registered lobbyist, legislative or congressional
7 employee, or be a relative, as defined by law, or
8 an employee of any of the above.

9 Each Commissioner would take an oath, pledging
10 that they will not receive compensation as a paid
11 registered lobbyist or seek elected office in any
12 legislative or congressional district for a period
13 of four years after concluding service as a
14 commissioner.

15 CHAIRMAN BERUFF: Thank you.

16 MR. STOLC: So --

17 CHAIRMAN BERUFF: Thank you very much.

18 MR. STOLC: Thank you.

19 CHAIRMAN BERUFF: You're, by the way,
20 Speaker 5, in case you -- Ms. Barry, you're
21 Speaker 6. Come forward, please. Thank you.

22 MS. BERRY: He came in under two minutes.
23 I've got pressure here.

24 CHAIRMAN BERUFF: (Laughter.) It can be done.

25 MS. BERRY: Good afternoon, Ladies and

1 Gentlemen of the Commission. My name is Barbara
2 Berry. I'm a Florida citizen. And I believe that
3 Article 1, Section 23, has been misused by Florida
4 Supreme Court to deprive an entire class of
5 Floridians the most important and first-stated
6 rights secured to them under Florida's
7 Constitution: the right to enjoy and defend life.

8 Article 1, Section 2, states: All natural
9 persons, female and male alike, are equal before
10 the law and have inalienable rights among them,
11 which are the right to enjoy and defend life and
12 liberty.

13 What other rights matter if one has not the
14 right to life and to lib- -- a liberty to live?
15 For this reason, the right to privacy should be
16 subordinate to the right to life, not superior.

17 The state already acknowledges this when it
18 authorizes search warrants. Excuse me. The
19 homeowner's right to privacy is subordinated to the
20 state's right to enter to obtain evidence needed to
21 pursue justice or, in the case of false
22 imprisonment, to defend another's life and liberty.

23 According to my research, Article 1,
24 Section 23, was intended by Florida voters to
25 protect the privacy of their information to prevent

1 the Government from gathering and using their
2 personal information against them; yet, activist
3 judges have overstepped the authority given them to
4 determine the constitutionality of laws passed by
5 the Legislature and have twisted and contrived that
6 to make law.

7 This they did by using Article 1, Section 23,
8 in the case of In re: T.W. In that case, they
9 held that one person's right to privacy does trump
10 another person's right to life.

11 Our constitution does not limit the definition
12 of a natural person to one who has obtained a
13 certain age, size, level of development, or by the
14 environment in which that person lives; yet,
15 current law in this state and nation allow the
16 murder of humans simply because they are less than
17 nine -- oh, my goodness --

18 CHAIRMAN BERUFF: Yes.

19 MS. BERRY: -- nine months from conception,
20 and their environment is in the womb rather than
21 out of it.

22 CHAIRMAN BERUFF: Ms. Berry, if you could wrap
23 up, that would be great. Thank you.

24 MS. BERRY: Sorry.

25 CHAIRMAN BERUFF: That's all right.

1 MS. BERRY: May I continue?

2 CHAIRMAN BERUFF: You can turn that in. No --

3 MS. BERRY: Okay.

4 CHAIRMAN BERUFF: -- we need to move on,

5 but --

6 MS. BERRY: Obviously, I read --

7 CHAIRMAN BERUFF: Why -- why don't you turn

8 that in --

9 MS. BERRY: I -- I talk fast --

10 CHAIRMAN BERUFF: -- because that will all get

11 posted on our website.

12 MS. BERRY: Well, that's all --

13 CHAIRMAN BERUFF: Thank you.

14 MS. BERRY: I just had one little thing: This

15 Commission has the opportunity to reverse it by

16 clarifying it; that right to life trumps right to

17 privacy.

18 CHAIRMAN BERUFF: Thank you very much. Thank

19 you very much.

20 (Applause from the audience.)

21 CHAIRMAN BERUFF: All right. Jill -- is it

22 Gil Ziffer? No. 7; Hagan Smith, No. 8; and

23 Gord- Bellinger -- Gordon Bellinger, No. 9. Thank

24 you.

25 COMMISSIONER ZIFFER: Thank you.

1 CHAIRMAN BERUFF: Welcome.

2 COMMISSIONER ZIFFER: I'm so glad to be here.
3 My name is Gil Ziffer, spelled with a "Z," and I'm
4 so glad you didn't go alphabetically.

5 (Laughter.)

6 COMMISSIONER ZIFFER: Thank you for that.

7 I'm a Tallahassee City Commissioner. I'm also
8 first vice president of the League of Cities. I'm
9 representing both here today. I want to thank you
10 for your service. I know this isn't an easy task.
11 And I want to welcome you to Tallahassee. We're
12 glad you're here.

13 You know what I'm going to say. I'm going to
14 talk about Home Rule. I'm going to talk about
15 local control. I'm going to talk about the need
16 for us to maintain that, as best we can.

17 Somebody back there told me while we were
18 waiting -- they said, you know, if the state shut
19 down for three days, some people might notice, but
20 if local government closed down for three days,
21 somebody would be knocking on my door at 12:01
22 because they want to know what's happening.

23 There are some bills, for example, that are
24 floating through the Legislature this year that
25 would severely control and restrict our ability to

1 control businesses in any way.

2 Let me give an example of one ordinance that's
3 worked for us. It's a very simple one, but we
4 couldn't do it. College town, an area near our
5 universities -- we recently passed an ordinance
6 that restricted towing in that area between
7 2:00 a.m. and 10:00 a.m. We didn't want college
8 students getting in their cars and feeling
9 compelled to do so because they thought their car
10 was going to get towed.

11 Now, unless we had local control, if -- unless
12 we had Home Rule, and unless we had the ability to
13 pass an ordinance, we would have to wait a year to
14 try to do that in the Legislature. That's not
15 helpful. Help us keep Home Rule. Help us keep
16 local control. It's important.

17 I thank you for your time. I thank you for
18 your consideration. And the best of luck to you.
19 And the League of Cities -- if we can help in any
20 way, we would like to do that.

21 Thank you.

22 CHAIRMAN BERUFF: Thank you, Mr. Ziffer.

23 (Applause from the audience.)

24 CHAIRMAN BERUFF: Mr. Smith.

25 MR. SMITH: I firmly concur with some of the

1 former speakers on the fact that you folks have no
2 authority to create a constitution. To back up
3 what I've said, I've provided documents to you that
4 has references that you can look at for yourself to
5 follow what I'm saying.

6 VanHorne's Lessee vs. Dorrance, 2 U.S. 304,
7 the Supreme Court made it very clear. They said,
8 what is a constitution? It is a form of government
9 delineated by the mighty hand of the people, not
10 public servants -- that's my insertion, not public
11 servants -- in which certain first principles of
12 fundamental laws are established.

13 The constitution is certain and fixed. It
14 contains the permanent will of the people and is
15 the supreme law of the land. It is paramount to
16 the power of the Legislature and can be revoked or
17 altered only by the author- -- mighty hand of the
18 authority that made it.

19 The life-given principle and death due --
20 death due in stroke must proceed from the same
21 hand. It is sacred for it is further declared that
22 the Legislature shall have no power to add to,
23 alter, abolish, or infringe any part of the
24 constitution.

25 The constitution is the origin and measure of

1 the Legislative authority. It says: This far you
2 shall go and no further; not a pebble of it shall
3 be shaken; not a pebble of it shall be removed.
4 One encroachment leads to another. Precedent gives
5 birth to precedent. And what has been done may be
6 done again; thus, radical principles are generally
7 broken in upon and the constitution eventually
8 destroyed, end quote.

9 You do not have the authority to create,
10 revise, or amend the constitution in any manner.
11 Only the people can create and revise or amend the
12 constitution for Florida.

13 The Governor, Legislature, Attorney General,
14 nor the public servants has been delegated the
15 power. Only the people can choose their delegates
16 to do anything in the above-mentioned things.

17 Your statement before, sir, that you create
18 these things by this Commission, then the people
19 vote on it is wrong. That's not how it gets done.
20 The Supreme Court said so.

21 In Florida, we are a republican form of
22 government. And we must be consistent with the
23 U.S. Constitution. The 1845 constitution that was
24 accepted by the Congress to bring Florida into the
25 Union made that clear, too. They rejected the

1 constitution several times because it was not
2 consistent. So, we, the people in Florida have the
3 authority to do this.

4 I thank you for listening.

5 CHAIRMAN BERUFF: Thank you very much.

6 Mr. Bellinger, Speaker 9. Thank you.

7 MR. BELLINGER: Good afternoon. My name is
8 Gordon Bellinger. And this is protections for the
9 people against tyran- -- tyrannical oppression by
10 government servants.

11 The organic constitution for the United States
12 of America and the preamble proclaimed that, we,
13 the people do ordain and establish the blessings of
14 liberty to ourselves and our posterity.

15 The Bill of Rights made clear that the rights
16 of the people were off limits to all government
17 servants. Sadly, however, an enemy has broken in
18 our fundamental laws and have created for
19 themselves an empire of tyrannical -- a tyr- --
20 excuse me -- a tyranny against the people.

21 They have unlawfully removed the Grand Jury
22 from the people and are today prosecuting many men
23 and/or women for recording these crimes by these
24 imposters. They have set up a system where they
25 protect each other from prosecution for these

1 crimes, which they are perp- -- perp- --
2 perpetrate --

3 CHAIRMAN BERUFF: Perpetrate.

4 MR. BELLINGER: -- I can't pronounce it
5 right -- committee. They have caused the whistle-
6 blowers to be prosecuted for reporting crimes
7 committed by them to law enforcement officers.

8 Even the chief law enforcement officers refuse to
9 arrest or prosecute the public-servant offenders.

10 CHAIRMAN BERUFF: Mr. Bellinger, if you could,
11 try to wrap up, that would be great. Thank you.

12 MR. BELLINGER: Pardon me?

13 CHAIRMAN BERUFF: If you could try to wrap up,
14 that would be great. Thank you.

15 MR. BELLINGER: It will probably be a minute
16 or more. I have made -- everyone has a copy of
17 this. I've turned it in.

18 CHAIRMAN BERUFF: Have you turned it in?

19 MR. BELLINGER: Yes.

20 CHAIRMAN BERUFF: Well, thank you very much.
21 We'll mark it part of our record.

22 MR. BELLINGER: Thank you.

23 CHAIRMAN BERUFF: Thank you so much.

24 Christopher Hopkins, Peter Butzin, and
25 Cassandra Jenkins, Speakers, 10, 11, and 12, please

1 come to the microphone. Thank you.

2 MR. HOPKINS: Good evening. Thank you for
3 allowing us to speak before you. My name is
4 Christopher Hopkins. And my topic was 1865 to 1868
5 Florida Constitutions. The 1838 through 1885
6 constitution is only needed to be amended by two
7 words, white male and all people, to bring it into
8 compliance with the U.S. Constitution; however,
9 this is what was happening -- didn't happen to
10 these constitution revision. What happened was a
11 power grab by Bar members of lawyers and public
12 servants.

13 Then, in 1968, the same thing happened again,
14 with false, misleading information being dispersed
15 to the people. The fact that the people lost more
16 rights and government gained more power by
17 unlawful, deceptive, manipulating by the review
18 commission -- the government grabbed more power for
19 themselves, while taking away protective measures
20 for the people to hold their public servants
21 accountable and culpable for the crimes against the
22 people.

23 The common law was adopted as part of the
24 secession laws, which people -- which people's way
25 of investigating and holding government servants

1 culpable for their acts of oppression and
2 transgression.

3 You and this Commission are the same. You do
4 not hold the interest of the people. You are not
5 chosen by the people. Therefore, you're
6 impersonating delegates of the people.

7 The people still have the right to peacefully
8 assemble and instruct their representative and
9 declare in Article 1, Section 5, of the Florida
10 Constitution. That is why I am doing this in the
11 interest of the people and address you here today.
12 Let this be fair warning to the people for what you
13 produce here.

14 And I ask you this question: Have any of you
15 read the 1845 Florida Constitution? If you have,
16 will you kindly raise your hand. Would you -- then
17 could you please provide me with a copy of it?
18 Because I would like to see that.

19 CHAIRMAN BERUFF: Would --

20 MR. HOPKINS: Thank you very much.

21 CHAIRMAN BERUFF: Would this be the address we
22 would be able to send it to?

23 MR. HOPKINS: Yes. And you all have a copy of
24 this --

25 CHAIRMAN BERUFF: 16445 Magnolia?

1 MR. HOPKINS: Magnolia Bluff Drive, Montverde,
2 Florida. Yes.

3 CHAIRMAN BERUFF: Great. Thank you.

4 MR. HOPKINS: Thank you so much.

5 CHAIRMAN BERUFF: Thank you.

6 (Applause from the audience.)

7 CHAIRMAN BERUFF: Yes, sir.

8 MR. BUTZIN: My name is Peter Butzin. I'm
9 here as a volunteer on behalf of approximately
10 50,000 members of Common Cause in Florida. We
11 congratulate the Commission for providing these
12 forums for public participation; however, at the
13 same time, we're concerned that the Commission has
14 provided no guidance to its process or adopted
15 rules of procedure.

16 The constitutional charge is clear that
17 adoption of rules should have been the Commission's
18 first order of business. And now, the Common Cause
19 urges you to be guided by the detailed questions
20 and rules-related issues and recommendations
21 submitted on April 10th in a letter from the League
22 of Women Voters. We support that letter and its
23 contents.

24 We particularly urge you to adopt rules that
25 apply the same high standards for openness as those

1 that apply to local government and to other
2 commissions.

3 We are also concerned that some commissioners
4 appear to have been selected to push the agendas of
5 appointing authorities and interest groups
6 including weakening of fair districts, providing
7 safe funding for religious institutions, term-
8 limiting appellate judges, and generally weakening
9 the separation of powers, to mention only a few.

10 We urge you to avoid giving legislative leaders
11 cover by advancing these controversial issues.

12 The framers of the 1968 constitution provided
13 this independent review of the paramount laws of
14 our state, free from legislative interference and
15 the influence of campaign contributions.

16 So, in conclusion, Common Cause strongly urges
17 the adoption of rules that will encourage true
18 independence, prohibit conflicts of interest,
19 ensure openness and transparency, and clearly
20 specify a schedule for truly meaningful public
21 participation throughout this process.

22 And also, please, please, adopt these rules
23 before proceeding with additional meetings or
24 public hearings.

25 Thank you.

1 (Applause from the audience.)

2 CHAIRMAN BERUFF: Thank you so much for your
3 time.

4 Welcome.

5 MS. JENKINS: Good afternoon. I'm Cassandra
6 Jenkins. I'm a seventh-generation Floridian. And
7 I've spent my entire professional career as a
8 public servant here in the state of Florida. I've
9 had the opportunity and the privilege to work for
10 Democratic and Republican governors.

11 So, as you deliberate and make your
12 recommendations, I implore you to focus not only
13 the ideologies, but the men, women, and children
14 who make up this great state. As you deliberate
15 and look at your recommendations, based on
16 everything you receive, be representative of race,
17 ethnicity, gender, religion, age, geographic
18 location, socioeconomic status, physical or
19 intellectual disability or ability.

20 Everyone and everything we do is
21 interconnected and inter-related: Law enforcement,
22 criminal justice, general justice, education, child
23 welfare, social and human services, healthcare,
24 mental health, substance abuse, community
25 development, economic development, the environment,

1 emergency management, elections, and public
2 records.

3 Don't look at these issues and recommendations
4 in a silo because we are not a silo state because,
5 as you deliberate, you need to recognize that you
6 might have unintended consequences. Reform in one
7 area, enhancements in one area could be a nightmare
8 in the other areas.

9 So, as you deliberate and look at the
10 recommendations, make sure that we look at those
11 issues as the entirety -- in its entirety and not
12 in silos because we can make some mistakes if we do
13 that.

14 And as you deliberate, I ask that you focus on
15 four main principles that I've always worked from:
16 Equality: equal opportunity, equal access,
17 equitable treatment and dignity and respect for
18 all; justice; fairness; responsibility and
19 accountability -- not only government
20 accountability at the local, state, and federal
21 level, but fiscal responsibility and
22 accountability, as well as individual
23 responsibility and accountability for us who are
24 citizens and people that represent this great
25 state.

1 Thank you for the opportunity.

2 CHAIRMAN BERUFF: Thank you, Ms. Jenkins.

3 (Applause from the audience.)

4 CHAIRMAN BERUFF: Okay. Deb -- Deb --

5 pronounced "oaks" -- Ochs-LaGrone. Thanks for the
6 help. Frank Day and Barry Webster.

7 Thank you.

8 MS. OCHS-LAGRONE: As you said, my name is Deb
9 Ochs-Lagrone. I live in Niceville in Okaloosa
10 County. I didn't bring any notes. I'm here to
11 talk from personal experience. I am asking you to
12 add a constitutional amendment for open primaries.

13 When I moved here two years ago, I was unaware
14 that you had to register as a Democrat or a
15 Republican in this state in order to vote in
16 primaries. Sadly, I didn't find out in time to
17 vote in the primaries.

18 Our primaries are paid for by public tax
19 dollars. So, why should any portion of our voting
20 constituents be left out? There are over three
21 million independent voters in this state. And it's
22 the fastest-growing group among your constituents.

23 So, again, I ask you, please, add a
24 constitutional amendment for open primaries.

25 Thank you.

1 CHAIRMAN BERUFF: Thank you very much.

2 (Applause from the audience.)

3 CHAIRMAN BERUFF: Mr. Day, Speaker No. 15.

4 MR. DAY: My name is Frank Day from Point
5 Washington, Florida, in South Walton. Thank you,
6 Mr. Chairman, Commissioners and, particularly,
7 Commissioner Stewart for graciously sharing her
8 table with us a while ago.

9 You notice I didn't have a cookie. So, if you
10 don't have plans for that chocolate --

11 (Laughter.)

12 CHAIRMAN BERUFF: We've got more.

13 MR. DAY: Okay. I want to add to Deb's
14 comments about open primaries. Government works
15 best if we all get a chance to participate. And I
16 think all of you will agree with that.

17 The more than three million that she quoted
18 that -- aren't allowed to participate in the
19 process simply because they aren't members of the
20 majority parties. And that doesn't represent us as
21 individuals or our state in general.

22 So, open primaries is something that we all
23 deserve. We'll all benefit equally from it. We've
24 been reduced, for the most part, in the minority to
25 having to address our government through

1 constitutional-amendment initiatives on the ballot.

2 And over the years, I've been involved in
3 three that have succeeded quite well: Fair
4 districts, clean water, and most recently, medical
5 marijuana. And they passed by substantial
6 majorities. So, open primaries is something you
7 absolutely must -- must have.

8 But beyond that, more close to home,
9 Commissioner Gaetz, Senator Gaetz, formerly brought
10 one of our worst school districts in the state in
11 Okaloosa County from the bottom to the very top.
12 Unfortunately, sir, your successors haven't held
13 your standard.

14 Currently, there are 46.17 percent of school
15 children in Okaloosa County who either qualify for
16 free or reduced school lunches. I ask you all to
17 help us in our -- in the western Panhandle, and all
18 across Florida, find a solution to this problem.
19 It's -- it's embarrassing, honestly.

20 Thank you.

21 CHAIRMAN BERUFF: Thank -- thank you for your
22 comments.

23 (Applause from the audience.)

24 CHAIRMAN BERUFF: Mr. Webster? Thank you.

25 MR. WEBSTER: Hello, Mr. Chairman, members of

1 the Commission. Thank you for the opportunity. My
2 name is Barry Webster. And I live here in
3 Tallahassee, Florida.

4 And I am asking and requesting that the
5 Commission actually specifically review and revise
6 the privacy amendment in Article 1, Section 23, of
7 the state's constitution.

8 Florida's privacy amendment was originally
9 intended to protect information privacy against the
10 government intrusion. And it was never -- it was
11 very clear that that was what it was intended to
12 be.

13 Unfortunately, in recent rulings, in recent
14 court rulings, in recent years, that's been
15 expanded to include and interpret the clause to
16 allow the right to an abortion, which was never
17 mentioned or contemplated back when that -- when
18 that clause was put in place back in 1980 by the
19 people of Florida.

20 So, I have witnessed recently and, I guess in
21 recent years, that in the Legislature, there's been
22 legislation proposed by the people. It's been
23 reviewed by House and Senate, adopted, and signed
24 into law by the Governor only to -- and it's been a
25 very fair and open process -- only to see that the

1 courts have used this expanded definition just to
2 strike it down.

3 And this is not right. It's not right at all.
4 So, what I'm asking is that you address this issue;
5 specifically, that the CRC review and revise
6 Article 1, Section 23, to clearly define and
7 restore it to its original intent of information
8 privacy and clearly state that it does not pertain
9 to allow the right to abortion.

10 Thank you for the opportunity to provide this
11 input. I appreciate it.

12 CHAIRMAN BERUFF: Thank you.

13 I just want to tell my fellow Commissioners
14 that your Chairman can't count. This gentleman was
15 Speaker No. 14, and Frank Day was Speaker No. 15.
16 I took them out of order.

17 The next three speakers: Jon Sowinski will be
18 Speaker No. 16, Pam Olsen will be Speaker No. 17,
19 and Matt Jordan will be Speaker No. 18. Welcome.
20 Thank you.

21 MR. SOWINSKI: Thank you, Mr. Chairman, and
22 thank you, Commissioners, for the long hours and
23 long miles that you are putting in in order to
24 serve in this capacity. Your role is both
25 important and historic to Florida and its future.

1 I'm here on behalf of No Casinos Organization
2 and a ballot-initiative committee that we are
3 supporting called Voters In Charge. We would like
4 to call your attention in the Constitution Revision
5 Commission to Article 10, Section 7, of the
6 constitution, which was put in in 1968. And it's
7 called the lottery prohibition.

8 And it says, quote: Lotteries, other than the
9 types of pari-mutuel pools authorized by law as of
10 the effective date of this constitution -- in
11 '68 -- are hereby prohibited by the state.

12 And throughout the course of Florida history,
13 literally until the last four or five years, that
14 has generally been regarded to reserve the
15 authority to the people of Florida to approve or
16 disapprove forms of casino gambling.

17 That's why when there have been proposals over
18 past decades in 1978, 1986, and 1994 to legalize
19 casino gambling in the state, those were presented
20 as ballot initiatives to the people.

21 Recent conflicting case law has given rise to
22 the notion that the Legislature has the authority
23 to legalize whatever forms of gambling it wants to
24 over time. And there are recent court decisions,
25 both state and federal, that I would turn your

1 attention to, including actions that are -- that
2 have been administrative rule-making that have
3 triggered violations to the Seminole compact and
4 other things.

5 Literally, the state is, today, in -- in -- in
6 all levels of litigation because there is not a
7 constitutional bright line because this -- this
8 provision has, by and large, been ignored.

9 We have sponsored a ballot initiative called
10 Voters In Charge. It gives great clarity to
11 Article 10, Section 7, of what authority is
12 reserved to the people. It says that in order for
13 a form of casino gambling to be considered legal in
14 the state, it must be approved by the voters
15 through constitutional initiative.

16 We direct your attention to that. We've
17 gotten a hundred thousand signatures. You can save
18 us a lot of effort, but we're committed to taking
19 it to ballot one way or the other. And once again,
20 we would like to thank you for your time and effort
21 on behalf of Florida.

22 CHAIRMAN BERUFF: Thank you.

23 MR. SOWINSKI: Thank you, Mr. Chairman.

24 (Applause from the audience.)

25 CHAIRMAN BERUFF: Ms. Olsen. Thank you.

1 MS. OLSEN: Hi. Hi, I'm Pam Olsen. I'm the
2 president of Florida Prayer Network. And I'm here
3 tonight representing many pastors and leaders
4 across our state. I serve on Florida's faith-based
5 and community-based advisory counsel.

6 So, I want to thank each one of you because I
7 know what it means to serve. And the time that
8 you're taking away from your families is so
9 important for the work that you're doing. So, I
10 just want to really thank you. And I want you to
11 know, when you get weary, there -- there are people
12 praying for you.

13 And Commissioner Lester, thank you for
14 praying. We still have that freedom in America, to
15 pray. You know, I'm here tonight -- I'm not a paid
16 lobbyist. I'm a mom. I'm a grandmother. I've
17 been in our state Capitol for 23 years as a
18 volunteer to pray for our leaders, but also to
19 speak on behalf of good laws that need to be
20 passed.

21 And we have a legislator on this committee
22 tonight. And they work very hard to get good laws
23 passed and hear from the public. And then they get
24 passed and they get signed into law by our
25 governor, only to go and have activist judges

1 strike them down based on wrong interpretations of
2 laws.

3 And one of the things that I'm asking you
4 tonight to do, just as several other people have
5 spoken on, which is Article 1, Section 23, the
6 privacy clause -- it is being wielded as a sword by
7 judges. We just saw the 24-hour wait bill, an
8 informed-consent bill, which is great law passed.
9 And it -- just to be misinterpreted by judges
10 saying, oh, it's right to privacy for a woman to
11 have an abortion. And that clause meant it was the
12 right of the people to keep the government
13 intrusion and from taking our information.

14 So, I hope that each of you, as you hear from
15 the people, that you will take and put this privacy
16 clause back to its original intent, put it before
17 the voters, and let the voters say what privacy is,
18 which is that we want the government not to take
19 our rights away, but that the women have rights to
20 stand for life and to chose life. And the judges
21 need to do what's right and pass right rules.

22 Thank you. God bless you guys.

23 (Applause from the audience.)

24 CHAIRMAN BERUFF: Thank you.

25 MR. JORDAN: My name is Matt Jordan. I'm here

1 with the American Cancer Society Cancer Action
2 Network. I really appreciate the opportunity to
3 speak with you guys.

4 I'm speaking in support of two tobacco-related
5 amendments that were added to the state
6 constitution through the citizens' initiative
7 process. I am aware that some of the other ACS CAN
8 members across the state have talked to you guys.
9 So, I'll keep my comments very brief.

10 Article 10, Section 20, of the Florida
11 Constitution was passed in 2002. And it prohibits,
12 in most indoor workplaces, including restaurants.
13 The passage of the measure was an important step
14 forward in protecting the health of Floridians of
15 every age. There is no question that making most
16 indoor workplaces free from tobacco smoke has
17 improved the public health of patrons and workers.

18 Article 10, Section 27, was passed in 2006.
19 And it mandates the state allocates a portion of
20 tobacco settlement money for tobacco prevention.
21 The resulting program is administered by the
22 Florida Department of Health. And you guys are
23 probably familiar with it as Tobacco Free Florida.

24 This was an important public health measure
25 that saved Florida lives and Florida tax dollars.

1 I am proud to say that our state is among the
2 lowest in youth and adults smoking across the
3 nation.

4 ACS CAN stands ready to provide any additional
5 information this body may need in order to protect
6 these important public-health provisions of
7 Florida's Constitution.

8 Again, thank you for letting me speak and for
9 your service to this great state.

10 CHAIRMAN BERUFF: Thank you.

11 (Applause from the audience.)

12 CHAIRMAN BERUFF: Speaker 19 will be Bill
13 Snyder; 20, Mike Heller; and 21, Ken Su- -- Sukhia.

14 MR. SNYDER: Thank you, Chairman.

15 CHAIRMAN BERUFF: Thank you.

16 MR. SNYDER: I'd like to address Section 23,
17 right to privacy, in the Florida Constitution.
18 They say there's two things that are difficult to
19 watch while they're being made: One is sausage and
20 the other is legislation. If you don't get the
21 recipe just right, it won't taste good.

22 It's evident that Section 23, the privacy
23 clause in the Florida Constitution, is not just
24 right. The numerous court cases have a lot of
25 confusion there, a lot of back and forth, a lot of

1 different outcomes.

2 So, I would just ask this Commission to look
3 at the privacy clause, make it clear, revise it, if
4 need be, and base the law on the United States
5 Constitution and the original intent of what our
6 rights really are regarding privacy.

7 One other issue I would like you to just keep
8 in mind -- and that is gun laws. If you're going
9 to revise or propose an amendment to advise any gun
10 laws in Florida, I -- I just want you to be
11 aware -- I read an article about a Sheriff who said
12 some of his officers only qualify twice a year at
13 the range to keep their job.

14 In my gun club, I know a lot of guys that are
15 out at the range every week, honing their skills.
16 They are very fast and very accurate. And they all
17 have concealed-weapon licenses.

18 So, if you're going to propose any amendments
19 to the Florida Constitution, I just would like you
20 to re- -- to remember not to limit legally-armed
21 citizens. Thank you.

22 CHAIRMAN BERUFF: Thank you.

23 (Applause from the audience.)

24 MR. SUKHIA: Ladies and Gentlemen, my name is
25 Sukhia. I was the U.S. Attorney appointed by

1 President Bush -- the first President Bush -- for
2 the Northern District of Florida. And I started as
3 a law clerk for Justice Hatchett at the Florida
4 Supreme Court, and later at the Fifth Circuit and
5 the U.S. Court of Appeals for the 11th Circuit.

6 I'm here to lend my voice to those who have
7 asked the Commission to look at and consider
8 revising Article 1, Section 23. I have some
9 experience here because I was asked by Governor
10 Bush to defend the constitutionality of what was,
11 then, called the Parental Notice of Abortion Act.

12 The Court in T.W. has struck down the
13 parental-consent provision, arguing that, well,
14 clearly, this is not notice; this is consent. And
15 they did so on the basis of Article 1, Section 23,
16 when it was pointed out that the U.S. Supreme Court
17 had repeatedly upheld statutes authorizing and
18 allowing parents to be involved in that decision,
19 both consent and notice.

20 The Court immediately said, well, no,
21 Article 1, Section 23, is much stronger. And the
22 U.S. Constitution is weaker on this point. And
23 therefore, we must strike the statute.

24 When I went to the Court, to the First DCA,
25 arguing about -- challenging the decision after an

1 eight-day trial, in which lots of evidence was
2 introduced as to the state's compelling interest in
3 ensuring that minors, sometimes 13-year-olds, would
4 not be allowed to make that decision themselves, it
5 went to the First District Court and Judge Bob
6 Benton ruled that it was constitutional.

7 It went to the Supreme Court. And the Supreme
8 Court immediately struck it in a 58-page decision,
9 again, citing Article 1, Section 23. And I do
10 believe it's correct that, if you look back at the
11 proceedings from the first Constitutional
12 Commission, you will find that abortion was never
13 intended to be the purpose of that provision.

14 So, I ask that you might respectfully consider
15 looking at it and clarifying that language on that
16 point. Thank you.

17 CHAIRMAN BERUFF: Thank you for your comments
18 and the history, by the way.

19 Speaker -- this one -- that's -- I don't know
20 how -- Scott. Is there a Scott? I can't make out
21 the last name.

22 MR. GWARTNEY: I signed in after Mr. Sukhia,
23 so, I --

24 CHAIRMAN BERUFF: Okay. That's you. Please
25 pronounce your name for us. I can't read the

1 writing. You're Speaker No. 22.

2 And then there will be Mike Sheedy and Kent
3 Wimmer. Please come forward. Thank you.

4 MR. GWARTNEY: Thank you very much. My name
5 is Scott Gwartney. I live and work in Tallahassee.
6 I'm an attorney.

7 This Commission needs to fix Article 1,
8 Section 23, that deals with right to privacy. As
9 Mr. Sukhia just gave us a history lesson from
10 personal experience, remember that article -- this
11 article was borne out of the discussions in the
12 1978 Constitution Revision Commission. It passed
13 out of the Legislature in 1980.

14 In 1984, the will of the people passed this
15 adopt- -- or it was adopted by the will of the
16 voters in 1980 to address informational privacy and
17 to restrict the government's ability to gather
18 personal information.

19 Remember the background here. In 1978 and
20 1980, we're on the heels of Watergate, recordings,
21 break-ins, and things of that nature. Roe v. Wade
22 was already long since the law of the land. And
23 yet, in those discussions about Article 1,
24 Section 23, there was no discussion about abortion
25 whatsoever.

1 That is confirmed by the Florida Supreme
2 Court's decision in the Rasmussen case in 1987
3 where the court made a finding that the proceedings
4 of the Constitution Revision Commission revealed
5 that the right to informational privacy was a major
6 concern of the amendment's drafters. And we're
7 talking about Section 23.

8 And then we get to 1989. And the Florida
9 Supreme Court took up In re: T.W. And Justice
10 Shaw issued an opinion that applied the right to
11 privacy to abortion. And that is not at all the
12 intent that was there, as we know from the Supreme
13 Court's decision.

14 Ever since then, every time the Legislature
15 passes another bill intending to restrict abortion,
16 this section is used to strike down informed-
17 consent laws, to strike down parental-notification
18 laws, to strike down laws requiring gestational
19 information be given to pregnant women.

20 This Commission needs to address and clarify
21 Section 23 of Article 1.

22 CHAIRMAN BERUFF: Thank you, Mr. Gwartney.

23 (Appause from the audience.)

24 MR. SHEEDY: Good evening, Mr. Chairman and
25 Commissioners. Name is Michael Sheedy. I'm the

1 executive director at the Florida Conference of
2 Catholic Bishops, which is a non-partisan public
3 policy voice of the Catholic Church of Florida.

4 As you undertake this important process, our
5 concerns relate primarily to two areas, to abortion
6 and education. We are concerned, along with many
7 others, that Florida's Constitution has been
8 profoundly misinterpreted with respect to abortion.

9 When Floridians adopted the right to privacy,
10 abortion rights were not part of that discussion.
11 We urge you to clarify misunderstanding arising
12 from the Florida Supreme Court's In re: T.W.
13 decision, which makes it difficult to enact
14 reasonable regulations that have been adopted in
15 other states to protect women and girls.

16 In education, Florida is a national leader in
17 parental choice. However, there are concerns that
18 two sections of the constitution could impede
19 further innovation.

20 The first is the uniformity clause at
21 Article 9, Section 1. When this was added to the
22 state constitution, there were real concerns that
23 some members of our communities were not receiving
24 equitable treatment in our education system.

25 Today, innovation in education is bringing

1 gains to children, not a one-size-fits-all
2 approach. Uniformity, as important as it was,
3 proved to be a pitfall for the -- in the Supreme
4 Court's ruling in Bush vs. Holmes, which undid
5 Florida Opportunity Scholarship program in 2006.

6 Also, despite collaboration, a religious
7 organization with local, state, and federal
8 governments, the First DCA, in that same
9 opportunity scholarship case based their decision
10 in large part or in part on Article 1, Section 3's
11 no-aid provision, also known as the Blaine
12 amendment.

13 We urge a remedy that ensures inclusion of
14 religious organizations as partners with government
15 to address the needs of Floridians in accord with
16 the values that Floridians embrace today.

17 So, as you continue your process, we look
18 forward to sharing further thoughts on how best to
19 address these concerns. We thank you for your
20 attention and for your service.

21 CHAIRMAN BERUFF: Thank you.

22 (Applause from the audience.)

23 MR. WIMMER: Good evening, Commissioners. My
24 name is Kent Wimmer. I'm with Defenders of
25 Wildlife. I'm their representative in Northwest

1 Florida. Defenders of Wildlife has over 80,000
2 members and supporters in Florida.

3 Florida is one of the unique states where
4 conservation protection of our environment, natural
5 resources, wildlife, conservation lands, sovereign
6 lands, and scenic beauty are inscribed in our
7 constitution.

8 Defenders respectfully requests the Commission
9 to honor Floridians' constitutional commitment to
10 conserve the environment by rejecting proposals
11 that would backtrack on the protection and
12 conservation of our state's natural heritage.

13 Defenders respectfully request the Commission
14 propose an amendment that furthers the intent of
15 75 percent of the -- of Florida's voters who
16 approved Article 10, Section 28, the Land
17 Acquisition Trust Fund amendment in the last
18 election.

19 Defenders of Wildlife proposes that the
20 constitution be amended to -- to require that one-
21 third of the Land Acquisition Trust Fund be
22 directed to the Florida Forever and other
23 conservation land-acquisition programs, and
24 dedicated exclusively for fee-simple acquisition of
25 environmentally-sensitive land or the acquisition

1 of permanent conservation easements requiring, in
2 perpetuity, the preservation of environmentally-
3 sensitive lands.

4 In the last three years, since Section 28 was
5 approved, the will of the people have not been
6 followed. So, we ask you to please propose this
7 amendment to carry out this intent.

8 Thank you for considering the comments of the
9 Defenders of Wildlife. And thank you for this
10 opportunity to address the Commission. And welcome
11 to Tallahassee.

12 CHAIRMAN BERUFF: Thank you, Mr. Wimmer.

13 (Applause from the audience.)

14 At this -- at this time, we're going to take a
15 five-minute break. We would like to give our
16 stenographer a little break on her hands after
17 she's been typing away. This is all public record,
18 so -- we'll reconvene in five minutes. Thank you.

19 (Brief recess.)

20 CHAIRMAN BERUFF: If everybody would take
21 their seats, we're going to reconvene the meeting.
22 Commissioner Washington will be taking over the
23 gavel for the next hour. Thank you. If everybody
24 will take a seat, we'll reconvene.

25 And -- and now you'll have the pleasure of

1 dealing with Commissioner Washington. She's much
2 better than I am.

3 COMMISSIONER WASHINGTON: Thank you, Chairman.

4 Okay. I want to be respectful. We have a
5 number of cards here. And I want to make sure that
6 everybody who wants to speak has a chance. So,
7 we're going to be sure to limit everybody to two
8 minutes. I'm going to encourage everyone to submit
9 their remarks to either the website or outside.

10 The first three speakers we have up are
11 Sarah -- Con-ta?

12 MS. COUTU: It's Coutu.

13 COMMISSIONER WASHINGTON: Couto, sorry --
14 Christina Forrest, and Joseph Cain.

15 Please state your name again for the record.

16 MS. COUTU: I'm Sarah Coutu. I live in
17 Milton, which is the Congressional District 1. I
18 want to thank you all for the opportunity to speak
19 today.

20 My concern is our water supply. Our local
21 jobs rely heavily on our fishing industry. Our
22 tourist dollars, our future generations rely on
23 clean water to survive, as do all of us.

24 This is being threatened. Escambia County has
25 45 known chemicals in the water supply. That is

1 the highest in the nation. I have to wonder the
2 lasting effects of those chemicals in all of us.

3 Locally, we have lost more than 90 percent of
4 our submerged grasses. To help remedy -- remedy
5 this, we need continued tight controls on
6 stormwater runoff from development and focus on
7 revitalizing our existing urban areas and our
8 cities, rather than continuing to build new
9 development on green space at the edge of our
10 cities.

11 Likely, the most-effective form of restoration
12 for our base is restoring the oyster reefs, as
13 oysters do an incredible job of filtering the
14 water, which might actually help with those 45
15 chemicals that I mentioned.

16 I ask you to restore the scientific work that
17 our DEP once had to make informed decisions about
18 permits for industrial and wastewater-treatment
19 facilities. We must not allow dioxins in our water
20 supplies from industrial drip along our rivers.

21 And we must never again allow partially-
22 treated sewage to be dumped in our bays -- every
23 single day this is happening -- causing beach
24 waterways to be closed last year to the public due
25 to health hazards. There was actually fecal matter

1 on our beaches in Congressional District 1.

2 It is up to all of our lawmakers to keep
3 Florida beautiful, keep Florida safe, protect our
4 children and our jobs. We must pass stricter
5 regulation on our water supplies.

6 And I would really like to ask all of you why
7 you moved this here and why we should have come all
8 the way over to you and if you will be coming to
9 Pensacola.

10 COMMISSIONER WASHINGTON: Thank you.

11 (Applause from the audience.)

12 COMMISSIONER WASHINGTON: Christina.

13 MS. FORREST: Hello. My name is Christina
14 Forrest. I am a veteran and a registered voter in
15 Florida since 2000. I am a registered Democrat,
16 currently living in Navarre, Florida, in Santa Rosa
17 County. I implore you, we need open primaries.
18 Myself and every other registered Democrat that
19 lives in Navarre were recently disenfranchised in
20 the ability to vote in the election for Sheriff.

21 Chairman Beruff, you said that the vote was
22 the most important thing. Due to a loophole of
23 write-ins -- due to a loophole in write-ins, myself
24 and every other Democrat was not able to vote for
25 Sheriff.

1 That's wrong. That is wrong for me. That's
2 wrong for every Democrat. That is wrong for every
3 absentee ballot. That is wrong. Fix it. Open the
4 primaries. Fix it. I implore you.

5 COMMISSIONER WASHINGTON: Thank you.

6 (Appause from the audience.)

7 COMMISSIONER WASHINGTON: Joseph -- Joseph
8 Cain. And after Joseph, we have Regina Sheridan.
9 Bill Browning -- Bowling, and Kirk Bailey -- Kirk
10 Bailey.

11 Joseph.

12 MR. CAIN: I'm Joe Cain. I have lived in Leon
13 County since 1987. I would like to focus on
14 Article 9, education. There are two problems --
15 and I could not find in the constitution where this
16 one is, but there seems to be a way that public
17 money can be sent to private schools, particularly
18 charter schools. I think that should be
19 eliminated. I -- I couldn't find it, but that
20 certainly needs to be eliminated because there is
21 not enough money that -- to pay teachers and staff.

22 The second thing is that students will come
23 out of the university and then spend the next 20
24 years paying off their student loans.

25 Now, the first part of this title said --

1 allows for adequately paying for education up
2 through the high school, K-12. I really think that
3 that should be expanded as far as the student
4 ability allows. That means going to technical
5 schools and even universities.

6 And perhaps, that would imply decreasing the
7 number of students, making it a little bit
8 harder -- not expanding the cost of universities to
9 the state.

10 How would you do that? Well, the tax base in
11 Florida is very deficient and -- and narrow because
12 it's only property taxes and -- what do you call
13 it?

14 CHAIRMAN BERUFF: Sales tax.

15 MR. CAIN: Yeah, that -- those kind of taxes.
16 You need to implement and be serious about this, a
17 graduated income tax. Now, the --

18 COMMISSIONER WASHINGTON: Thank you.

19 MR. CAIN: We found that we're in the
20 \$400-a-day category, my wife and I. We can pay
21 more and should.

22 COMMISSIONER WASHINGTON: Thank you.

23 MR. CAIN: Thank you.

24 (Applause from the audience.)

25 MS. SHERIDAN: My name is Regina Sheridan.

1 And thank you for letting me address you today.

2 I'm here to urge you to preserve the Florida
3 Constitution's strong protection against political
4 interference with a woman's right to control her
5 body. There is nothing more fundamental to a
6 woman's private life than the right to decide the
7 most intimate, personal, and difficult decision of
8 whether or not to carry a pregnancy to term. As
9 held by Florida Supreme Court, the explicit privacy
10 right includes this right to decide whether to
11 continue a pregnancy or to have an abortion.

12 This Commission should not attempt to take
13 away this fundamental right from women. The
14 Florida Supreme Court is vested with interpreting
15 and applying the Florida Constitution. And it has
16 already spoken.

17 The last time politicians tried to weaken the
18 privacy clause in Florida's Constitution, Florida
19 voters overwhelmingly rejected the attempt.
20 Proposed Amendment 6, on the 2012 ballot, was an
21 effort to limit that privacy clause in our
22 constitution. And it was soundly defeated by
23 Florida voters 55 percent to 45 percent.

24 Polls of Floridians, and specifically Florida
25 voters, have consistently found that a majority of

1 Floridians support legalized abortion. I urge you
2 not to tamper with or eliminate the Florida
3 Constitution's explicit right to privacy,
4 protecting a woman's personal and private decision-
5 making.

6 The decision about whether to end a pregnancy
7 or carry a pregnancy to term is a personal and
8 private medical decision. There is no decision
9 more private. And we urge the CRC to preserve the
10 explicit privacy protections in Florida's
11 Constitution as they relate to a woman's access to
12 abortion services. Trust women to make their own
13 decisions about their own bodies.

14 Thank you so much.

15 COMMISSIONER WASHINGTON: Thank you.

16 (Applause from the audience.)

17 COMMISSIONER WASHINGTON: Bill?

18 MR. BOWLING: Hi. My name is Bill Bowling and
19 I live here in Tallahassee. I'm a regular citizen.
20 I would like to add my voice to those asking for
21 you guys to have the citizens define the right to
22 privacy.

23 We had an excellent history lesson earlier in
24 the evening. And we know that lawyers love
25 language. And I think you need to spell it out for

1 them. So, one way or the other, people can decide
2 whether that should include or exclude abortion.

3 Thank you very much.

4 COMMISSIONER WASHINGTON: Thank you.

5 After Kirk, we have Frank Rainer, Jonathan
6 Webber, and Barbara Devine -- DeVane.

7 Thank you, Kirk.

8 MR. BAILEY: Mr. Chairman, members of the
9 Committee, my name is Kirk Bailey. I'm the
10 political director for the ACLU of Florida. On
11 behalf of our over 100,000 supporters, I wanted to
12 come and talk with you a little bit today about
13 three issues.

14 As you might imagine, we'll be submitting
15 written comments on these issues as well as a
16 variety of others, but I want to emphasize three of
17 them today.

18 The first is related to judicial independence.
19 We encourage the Commission not to pursue or
20 attempt to put on the ballot any measures that
21 would limit the judiciary's independence, upset our
22 system of checks or balances, or violate our system
23 of the separation of powers.

24 I think we can all agree that our branches of
25 government, from time to time, make decisions that

1 we may not agree with. I know there are some
2 legislators here who probably, from time to time,
3 get some feedback from their constituents about
4 decisions they have made that they may not agree
5 with, but this agreement over the substantive
6 issues of our day is not necessarily sufficient to
7 change the structure of our government.

8 And so, we encourage you to be very judicious
9 about any amendments that -- that attempt to
10 approach and limit the power of our judiciary
11 because you are messing with the very structure --
12 the very ground rules around which our system is
13 based. And so, please be very careful about that.

14 The second is the right to privacy and the
15 Florida Section -- Article 1, Section 23. The
16 provision rightfully applies to all aspects of
17 personal privacy as established by a variety of
18 court decisions, as well as by the people of
19 Florida in 1980 and again in 2012.

20 There is one item about the 2012 election that
21 I would like to point out to the Commission. And
22 that is that that particular Amendment 6 explicitly
23 mentioned overturning court cases that interpreted
24 the right up to that point.

25 And Florida's voters rejected that amendment

1 55 to 45. They rejected the notion that Supreme
2 Court -- Florida Supreme Court decisions related to
3 that particular provision should be overruled.

4 And finally -- my final comment, which will be
5 very brief, I just want to commend you,
6 Mr. Chairman and others, for promising to add
7 additional hearings, particularly after you've
8 developed your proposals, so that the public can
9 comment on your specific ideas that will go to the
10 ballot. Thank you very much.

11 COMMISSIONER WASHINGTON: Thank you.

12 Mr. Rainer?

13 MR. RAINER: Good evening, members of the
14 Commission. Thank you for your time. And actually
15 thank you for your patience with us and listening
16 to our comments. I'm Frank Rainer. I'm here
17 representing independentvoters.org and fair and
18 open primaries.

19 I've been a life-long independent for 40
20 years. And I've watched the independent evolution
21 occur. And what I've watched is independents go
22 from low-teens representation to around 25 percent
23 in the state of Florida. And I hope you realize
24 that this evolution is occurring, that you realize
25 that's it's going --

1 COMMISSIONER WASHINGTON: Can you step up a
2 little closer?

3 MR. RAINER: -- to continue --

4 COMMISSIONER WASHINGTON: Yes.

5 MR. RAINER: -- and that independents are
6 starting to flex their political muscle.

7 In particular, when you understand evolution,
8 you realize that there's two possible strategies:
9 There's cooperation and there's competition. And
10 unfortunately, independents have recognized that
11 competition has become the model that has evolved
12 for our political system. We do not accept that.
13 We want a cooperation model.

14 Now, independents have engaged in cooperation.
15 We have two initiatives that we have done on the
16 constitutional ballot: open primaries and fair
17 districts. We have done that. We have done all
18 the time and effort that this Commission is doing
19 to achieve those two constitutional amendments.

20 Unfortunately, the political system has come
21 to us with competition. And how so? The
22 Legislature has adopted the write-in -- I'll call
23 it scheme -- to close open primaries. We want some
24 resolution of that and get back our open primaries.

25 Second, there is the sore-loser statute that

1 has been adopted by the Legislature that does not
2 allow a candidate in a primary to switch over in
3 the general election to an independent status. We
4 think that should be undone.

5 Independents want the greatest selection of
6 candidates when they go to vote. If you're not
7 going to let us vote in the primaries, then present
8 to us at the general election the greatest
9 selection of candidates.

10 And so, that is, if you want to know, what
11 independents want. We want a political system that
12 evolves to cooperation, a political system that
13 provides us candidate selection.

14 COMMISSIONER WASHINGTON: Thank you.

15 MR. RAINER: Thank you. I appreciate your
16 time.

17 (Applause from the audience.)

18 MR. WEBBER: Hi. Thank you all so much for
19 being here, and also thank the community. I'm so
20 proud of everyone showing up from Tallahassee,
21 especially the young people. Thank you so much.

22 My name is Jonathan Webber. I'm the deputy
23 director of Florida Conservation Voters. I'm
24 currently a resident of Leon County. So, I thank
25 you all for bringing this committee hearing close

1 to my home.

2 I've also been lucky to live in areas all over
3 the state, beautiful areas, I should add. As a
4 child, I spent my summers and hours after school
5 playing in the protected woods behind my house or
6 at the local park or swimming in the Atlantic
7 Ocean.

8 Our natural environment is part of who I've
9 become as an adult. And I can only hope my child
10 has the same opportunity to fall in love with the
11 natural Florida that I did. That's why I'm here
12 today.

13 I strongly urge all of you, each of you to
14 consider ways to strengthen the provisions in
15 Florida's Constitution that protect and enhance our
16 parks, our forests, our springs, beaches, waterways
17 and wetlands, and signature ecosystems like the
18 Everglades.

19 Protecting these places will help our state
20 defend against climate change and sea-level rise.
21 The constitution is a statement of our shared
22 values. And I can think of no greater uniter than
23 the love that all of our residents share for our
24 natural heritage.

25 Since 1994, voters have approved at least

1 eight amendments to our constitution that relate to
2 conservation and clean energy. Please, follow the
3 leadership of the -- of the people and use your
4 time as part of this important Commission to
5 protect what's best about Florida.

6 And the people want more parks, clean water,
7 and a green-tech economy that reduces our reliance
8 on fossil fuels.

9 Thank you, and best of luck in the coming
10 months.

11 COMMISSIONER WASHINGTON: Thank you.

12 (Applause from the audience.)

13 COMMISSIONER WASHINGTON: Barbara DeVane. And
14 then after Barbara, we have Glenda Davis and David
15 Akintonda and Lyn Stanfield.

16 Thank you, Barbara.

17 MS. DeVANE: Sure. I'm Barbara DeVane.
18 Sometimes people call me divine, but not too much.

19 (Laughter.)

20 MS. DeVANE: I, too, am a native Floridian. I
21 was born in Jennings, Florida, on August 18th,
22 1942. So, I'm almost 75. In August, I'll
23 celebrate 75 wonderful years in this beautiful
24 state. And I want it to stay beautiful.

25 I'm a retired school teacher. I taught social

1 studies, history, English -- mostly social studies
2 to eighth-graders. So, the political process is
3 very dear to my heart, even now.

4 I'm the mother of two middle-aged daughters,
5 now. I'm a grandmother of a granddaughter and a
6 grandson. And they're young adults. I'm here
7 today because I was involved the last time around.
8 And I want to stay involved because I'm the
9 lobbyist for Florida NOW, National Organization for
10 Women. I'm also the president of Tallahassee NOW.

11 It's always been my mission in life -- I've
12 known this my whole adult life, that my mission is
13 to empower women, workers, minorities, and now
14 retirees like me because I am on Social Security
15 and Medicare.

16 Privacy is privacy. Remember the old chicken
17 ad, "Parts is parts"? Well, privacy is privacy.
18 And it's very dear to the hearts of millions of
19 women.

20 As the young woman from Planned Parenthood
21 said it so well -- so, I don't -- I won't try to
22 add to what she said because I still don't even
23 have any reproductive parts. I haven't since 1990.
24 But I will fight to the death to protect the
25 privacy and the reproduction -- reproductive

1 freedom and rights of all women.

2 COMMISSIONER WASHINGTON: Thank you.

3 MS. DeVANE: The difference between us and
4 them is we don't want to take away any of their
5 rights. They only want to take away our right to
6 choose. And the people of this state have spoken.

7 (Applause from the audience.)

8 COMMISSIONER WASHINGTON: Thank you.

9 MS. DeVANE: I'm also very offended, in the
10 Legislature and here today, with all the men who
11 get up to the microphone --

12 COMMISSIONER WASHINGTON: Barbara --

13 MS. DeVANE: -- to try to take away the --

14 COMMISSIONER WASHINGTON: Thank you, Barbara.

15 MS. DeVANE: -- rights of women. Thank you
16 very much.

17 (Applause from the audience.)

18 MS. DAVIS: Mr. Chairman, Commissioners --
19 Mr. Chairman, Commissioners, thank you for having
20 this meeting here today in our lovely city. We
21 hope it won't be the only one.

22 My name is Linda Davis. And I'm here
23 representing the League of Women Voters of Florida.
24 My colleague and friend, fellow League member,
25 Mr. Peter Butzin, has already mentioned the letter

1 that our president, Pam Goodman, has sent to you.
2 And it was accompanied by a two-page list of
3 suggestions for you.

4 I'm not going to reiterate all those
5 suggestions or questions, but I do have a couple of
6 questions. The League has a great deal of respect
7 for the process of governing. And we are concerned
8 about the process of your rule-making, the rules
9 that will govern what you do.

10 I have a document that is called "The working
11 draft of rules for the 2017-'18 Constitutional
12 Revision Commission." So, I would like to ask,
13 when do you expect to have a final draft, and if
14 you will put it on your website for all of us to
15 see so we will know what the rules are, and we can
16 submit proposals or follow those rules as well as
17 make sure that you do, too.

18 COMMISSIONER WASHINGTON: Thank you.

19 (Applause from the audience.)

20 MS. STANFIELD: Good evening, Mr. Chairman,
21 members of the committee -- Commission. I would
22 like to, first of all, thank you so much for your
23 service to the state of Florida. I can tell that
24 you all love this state just as much as I do.

25 That said, my name is Lyn Stanfield. And in

1 2002, Florida voters amended the constitution to
2 include class size. It was a motherhood-and-apple-
3 pie issue. A vote for smaller classes, many voters
4 believed, meant that that would transcend into
5 student achievement, greater student achievement.

6 15 years removed, we've learned, and data has
7 suggested, that class size is not a significant
8 predictor of student success. Yet, we, as a state,
9 have invested over \$33 billion in class size.

10 Things that impact student learning include
11 great teachers, engaging curriculum, and safe
12 environments for learning. But as recent as the
13 '15-'16 school year, we've invested \$3 billion of
14 taxpayer dollars to reduce class size.

15 So, I stand before the Commission today to ask
16 this body to reevaluate the inclusion of class size
17 in our constitution, up to and including, returning
18 it to the voters.

19 Thank you for your time this evening.

20 COMMISSIONER WASHINGTON: Thank you.

21 I have Mr. David Akintonda, Matthew Isbell,
22 Mark Schlakman, and Howard Kessler.

23 (Brief pause.)

24 MR. ISBELL: I don't think David is here.

25 COMMISSIONER WASHINGTON: Yeah, I don't think

1 David is here.

2 Matthew?

3 MR. ISBELL: Yes.

4 COMMISSIONER WASHINGTON: Welcome.

5 MR. GELLER: Thank you, Mr. Chairman, and
6 thank you for -- Commission for hearing us today.

7 I wanted to come up to talk to you guys about
8 independent redistricting. In 1978, Florida had a
9 chance to approve an independent redistricting
10 commission. And unfortunately, it failed with
11 47 percent of the vote.

12 Since then, we've had, 1980s and 1990s, a year
13 of Democratic gerrymanders; then the 2000s, a year
14 of Republican gerrymanders; and even in 2010 and
15 '12, another series of gerrymanders that, then, saw
16 court actions. Millions of dollars in legal fees
17 for both people suing the Legislature, the state
18 incurred, and also, then, years of going through
19 bad maps and finally getting decent state House and
20 state Senate maps -- congressional state Senate
21 maps in 2016.

22 We've seen this play out. It can't be helped.
23 People that have a partisan allegiance, people that
24 are elected to a partisan body will invariably
25 produce partisan maps. It's not a Democrat or a

1 Republican thing or a bad or good thing. It's just
2 a human thing. It's what people will be driven to
3 do.

4 We've seen great success in other states with
5 independent redistricting commissions in Republican
6 states like Arizona, Democratic states like
7 California, you know, deep-red Idaho, deep-blue --
8 you know, more-blue New Jersey. Iowa is a swing
9 state.

10 They all have it. And they've all had great
11 success. You don't hear major issues come out of
12 there. Commissions form maps that respect minority
13 rights and ensure minority districts. They make
14 districts that keep cities and counties whole, and
15 they produce less lawsuits and less money spent.

16 It's just a better system to go with. And the
17 voters should have a say. You should put it
18 forward in a constitutional amendment in 2018. Let
19 the voters decide as we go, then, into the 2020
20 census and the 2022 redistricting. It will save
21 our time -- a lot of time and money and headache
22 and will just be better for everybody overall.

23 Thank you.

24 COMMISSIONER WASHINGTON: Thank you.

25 (Applause from the audience.)

1 COMMISSIONER WASHINGTON: Mr. Schlakman.

2 MR. SCHLAKMAN: Yes, thank you. Mark
3 Schlakman. Sir, Chairman, a pleasure to be here.
4 Members of the Commission, this is a remarkable
5 proceeding. And it's -- it was a privilege to
6 watch thus far.

7 I appear today -- actually, I didn't intend to
8 speak. A colleague and friend of mine was
9 attempting to de-conflict his schedule, Sheriff
10 Walt McNeil with Leon County. He and I collaborate
11 together, as we do with Ion Sancho, former
12 supervisor of elections in -- in Leon County, on
13 the issue of -- a number of issues, but in
14 particular, an issue that you, no doubt, have heard
15 about before and will continue to hear about,
16 felony disenfranchisement in Florida.

17 It's -- it's a remarkably complex topic. It
18 is a -- Florida has, at least research indicates,
19 more than 25 percent of all of those who are
20 disenfranchised by way of felony disenfranchisement
21 throughout the United States. And it currently has
22 among the more-restrictive procedures.

23 The Attorney General actually helped to peel
24 away a public-safety issue that -- that had worked
25 its way into the clemency process by supporting

1 a -- a bill in 2011 that removed the civil rights
2 restoration from consideration of ex-felon
3 employment.

4 The process -- and since there are only 40
5 seconds, I'll just note this: Each year, there are
6 approximately 66 zero thousand people that complete
7 their felony sentences for which they lost their
8 civil rights.

9 Over the course of the past six-and-a-quarter
10 years, 2,599 people have regained their civil
11 rights as of April Fool's Day. Sorry. It's an
12 actual figure.

13 There is an opportunity for this Commission to
14 de-conflict some of the ballot petitions, some of
15 the joint resolutions that are being proposed, and
16 determine a rethink as to what might be necessary.
17 And I look forward to the opportunity to engaging
18 with the Commission again, moving forward. Thank
19 you.

20 COMMISSIONER WASHINGTON: Thank you.

21 (Applause from the audience.)

22 COMMISSIONER WASHINGTON: Howard Kessler.

23 After Howard, I have Britteny Peahcow, Sheriff Walt
24 McNeil, and Lee Carter.

25 MR. KESSLER: Thank you. Thank you for the

1 Commission -- to have the opportunity to speak.

2 I'm Howard Kessler. I'm speaking as a private
3 citizen. I've served on the Wakulla County Board
4 of County Commissioners for three terms.

5 I'm speaking about process, initially. I -- I
6 ask you to inform the public of your overall plan
7 and the specific plan going forward, a list of all
8 meetings as far in advance as possible.

9 And after the Commission tours the state, the
10 meetings that will take place, I hear now, after
11 you make some initial decision on what you plan to
12 put on the ballot -- those are extremely important
13 as well.

14 This is a dialogue between the citizens and
15 the -- and the Commission. It's not just the
16 citizens -- most people here are not just to blow
17 off steam. They have serious concerns.

18 You, as a commission, can place items on the
19 ballot. That is a huge power. I know the citizens
20 have to vote or turn them down, either way -- or
21 turn them down, but that's huge power.

22 And while we live in a state where more than
23 80 percent of the people are living in a county or
24 city that has either passed a resolution or an
25 ordinance banning fracking, I ask you to consider

1 it, panning -- placing on the ballot the statewide
2 ban on fracking.

3 Also, I would ask you to fund Florida Forever.
4 And 75 percent of the voters have spoken. I ask
5 you to fulfill the will of the people and fund the
6 Florida Forever. Thank you very much, and success
7 in your mission.

8 COMMISSIONER WASHINGTON: Thank you.

9 (Applause from the audience.)

10 COMMISSIONER WASHINGTON: Britteny or Sheriff
11 McNeil? Mr. Carter?

12 MR. CARTER: I thank you for the opportunity
13 here. My name is not important. It's the people
14 and the issue that's most important, what I've
15 learned to be the most important issue facing this
16 country today.

17 I'm not originally from Florida. I came from
18 Texas two years ago. I like it here. I -- two
19 years ago, I really didn't care about this issue,
20 though. One year ago, I started to learn about it.
21 I used to think everything was peachy, Texas, on
22 the border. Peachy. Everything was fine.

23 I drove five hours today to get here. That's
24 okay. Half hour just to find a place to park.
25 Five hours, I'll go back. That's fine. It's worth

1 it for the people who have been adversely affected
2 by this issue. It's not about me. I'm here to say
3 it's for them.

4 The issue loud and clear, all year last year,
5 everybody here heard the people yell three words:
6 Build the wall. Build the wall. Six months ago,
7 the people quietly spoke -- they voted. Build the
8 wall.

9 In Florida, the wall is spelled E-verify.
10 Americans demand and deserve first rights to
11 American jobs. And Floridians -- they demand and
12 deserve first rights to Florida's jobs. It's time
13 for Florida to step up and do the right thing. The
14 alternative is, Adios, America and, Hello, Hotel
15 California. We'll be living it up. We'll be
16 living it up.

17 Please, proudly place E-verify on the 2018
18 general election ballot. I represent the
19 hardworking Americans, Floridians, who've lost
20 their jobs because of our inaction in this issue.
21 I represent Floridians for E-verify Now. My name
22 is Lee Carter.

23 Thank you very much.

24 COMMISSIONER WASHINGTON: Thank you,
25 Mr. Carter.

1 Next we have Casey Epstein-Gross, Ronnie
2 Graham, and Brianna Peterson.

3 MS. EPSTEIN-GROSS: First and foremost, thank
4 you all for giving us the opportunities to have our
5 voices heard. As a teenage girl living in such a
6 politically-charged environment, I'm very concerned
7 about ensuring that my constitutional rights are
8 protected, as well as worried that the ability to
9 control what I do with my body may be directly
10 threatened by changes you all may make.

11 Despite always being of utmost important, in
12 this particular political climate, it's imperative
13 for me, as a young woman, to be able to make
14 choices that are safest for me and free from
15 government intrusion.

16 As I move into adulthood, I want to be able to
17 guarantee my personal safety and possibility for
18 the kind of future I want to have. And I worry
19 that if proposed constitutional amendments were to
20 limit or restrict the right to privacy under the
21 Florida Constitution, that my access to healthcare
22 would be limited as well as my ability to achieve
23 and thrive economically, academically, and
24 independently.

25 I urge you to trust me, as well as your

1 nieces, your sisters, your daughters, and all young
2 women everywhere to make the best decisions
3 relevant to our individual situations.

4 I urge you to preserve the Florida
5 Constitution's strong protection against political
6 interference with the women's -- with a woman's
7 right to control her body, for my sake and for all
8 women.

9 Thank you.

10 COMMISSIONER WASHINGTON: Thank you.

11 (Applause from the audience.)

12 MS. PETERSON: Hello. Thanks for having us
13 here. My name is Brianna Peterson. I'm an
14 elementary school teacher here in Leon County,
15 Florida. And I care a lot about children and I
16 also care a lot about women's rights to privacy.

17 We must preserve the right to privacy in
18 Florida. Under Article 1, Section 23, of the
19 Florida Constitution, adopted by Florida voters in
20 1980, it provides for a specific and explicit right
21 for all privacy and should be preserved without
22 change.

23 I was one of the 14,000 people who
24 participated in the Tallahassee Women's March and
25 Rally right here on FAMU campus. Made loud and

1 clear in January: We do not want access to our
2 reproductive rights attacked through the
3 legislative process. We do not want healthcare
4 providers like Planned Parenthood defunded. And we
5 certainly don't want women's rights undermined in
6 our state constitution.

7 Because Florida Constitution contains an
8 explicit right to privacy, the Florida Supreme
9 Court has long held that it embraces more privacy
10 interests and extends more protection than does the
11 Federal Constitution, which contains only an
12 implicit right to privacy.

13 Regardless of your religious or ideological
14 views on abortion, we urge the CRC not to threaten
15 these great protections in Florida.

16 Thank you.

17 COMMISSIONER WASHINGTON: Thank you.

18 (Applause from the audience.)

19 COMMISSIONER WASHINGTON: Next, we have Ronnie
20 Graham, John Due, Herb Shelton, and Lily Wells.

21 (Brief pause.)

22 MR. SHELTON: Don't look at me. There's two
23 people ahead of me, so --

24 COMMISSIONER WASHINGTON: No worries.

25 MR. SHELTON: You want to call that name

1 again? Because --

2 COMMISSIONER WASHINGTON: Ronnie Graham, John
3 Due, Herb Shelton.

4 MR. DUE: Well, I'm here.

5 COMMISSIONER WASHINGTON: Well, you're
6 welcome. What is your name, sir?

7 MR. DUE: Attorney John Due. Thank you very
8 much for being here. If you want to know who
9 Attorney John Due is, you need to get the book
10 Freedom in the Family by Patricia Stephens and
11 Tananarive Due about the freedom movement in
12 Florida. Included in that book is a person by the
13 name of Arthenia Joyner.

14 Patricia was in Jet magazine when I was in
15 Terre Haute, Indiana. And I worked as a
16 correctional officer at the Indiana State Farm.
17 And the law was so corrupt about corrections that,
18 when I saw a picture of Patricia and in Jet
19 magazine, I decided to come to Florida A & M law
20 school to work with the students of Florida A & M.
21 So, you need to get that book.

22 Another book you need to get is Prison
23 Breakout by Newt Gingrich. Newt Gingrich is the
24 former Speaker of the House. And it was in the
25 early nineties Newt Gingrich -- when he was Speaker

1 of the House, joining with then-president Clinton,
2 introduced what we now know as mass incarceration
3 of millions of people.

4 This has resulted in a disaster for Florida
5 because, in the 20 northern counties in Florida,
6 there's a state prison. And that is the only
7 industry in North Florida.

8 When the state of Florida was --

9 COMMISSIONER WASHINGTON: Mr. Due --

10 MR. DUE: Yes.

11 COMMISSIONER WASHINGTON: Sorry. Can you wrap
12 it up?

13 MR. DUE: Oh, two minutes?

14 COMMISSIONER WASHINGTON: Yes, your two --

15 MR. DUE: Okay. Here is what I do offer: to
16 continue to work with the Commission because we
17 need to overcome this mass incarceration, which is
18 resulting in millions of people who are not really
19 functioning. At least 150 years ago, we had cotton
20 to pick, but no longer we have that luxury for this
21 privatized industry.

22 Thank you.

23 COMMISSIONER WASHINGTON: Thank you, sir.

24 (Applause from the audience.)

25 MR. SHELTON: I guess I'm next. My name is

1 Herb Shelton. I live here in Tallahassee. My
2 concern is about the environment. And if you
3 remember in the -- the 2014 election -- or
4 legislation, the clean -- people were concerned
5 about Amendment 1, clean water in this state.
6 75 percent of the voters voted for that.
7 73 percent of the voters voted for Amendment 4,
8 solar. Clearly were interested in clean water,
9 clean air, and other sources of energy other than
10 the oil industry, bad fuels.

11 And so -- and those that are concerned about
12 prenatal care -- we've heard a lot about that, I
13 would suggest that whoever is concerned about that,
14 look into the endocrine disruptors because it only
15 takes a small minute amount of pollution and toxic
16 chemicals that's pumped into the ground and -- and
17 especially into our karst system, could spread
18 everywhere. And that would create great havoc upon
19 infants, fetuses, babies, everything that's
20 involved with the reproductive system there.

21 So, I just ask all people to join together on
22 this issue. We really need to ban the practice of
23 fracking. We do not need toxic chemicals put into
24 the ground. They claim it's only 1 percent used in
25 this treatment, but like I said, look into

1 endocrine disruptors. It's very harmful.

2 If you talk about these bathroom bills, you'll
3 have asexual children coming out. They won't know
4 which bathroom to go into. So, I mean, you all
5 need to really look into that and ban fracking.

6 Thanks so much.

7 COMMISSIONER WASHINGTON: Thank you.

8 (Applause from the audience.)

9 Lily -- after Lily, we have Connie Belcher and
10 Erin Workman and Meredith Mears -- Sears -- Mears.

11 MS. WELLS: My name is Lily Wells. I'm a
12 resident of Tallahassee, and property owner, and
13 I've lives in Florida since 1994. I'm an advocate
14 for child well-being and infant mental health. And
15 the youngest citizens of Florida do not have a
16 guarantee that they will be insured the full and
17 equal protection of the law.

18 The well-being of children and the policies
19 contributing to the same are subject to the whim of
20 political sea change and administrative transition.
21 The children of Florida and the adults they will
22 become deserve better.

23 We have an example we can follow in the UN
24 Convention on the rights of the child while
25 preserving our national and state sovereignty. I

1 do not ask you to ratify this international treaty.
2 I ask you to define a Bill of Rights for Florida's
3 children and enshrine it in our constitution.

4 I have copies here -- it's not this long. I
5 have several copies -- and also a -- a child-
6 friendly language version with pretty pictures, and
7 a giraffe on it. I want you to consider these
8 rights. I want you to read them to your children,
9 to your grandchildren, and to the neighbors' kids.

10 And then, I want you to take the moral
11 leadership to protect these children by including a
12 Bill of Rights for children in the Constitution of
13 Florida.

14 Thank you.

15 COMMISSIONER WASHINGTON: Thank you.

16 (Applause from the audience.)

17 COMMISSIONER WASHINGTON: Ms. Belcher?

18 MS. BELCHER: Hello. I'm Connie Belcher. And
19 I'm a Floridian, been living in Tallahassee. And
20 I'm enjoying living in this city. And I -- I'm
21 here to speak tonight about fracking. And I do not
22 like to drink oil for water. And it is very dirty.
23 And I like the clean water because it's a source of
24 energy and life. And I appreciate you to consider
25 this.

1 And also for the women of all ages of the --
2 carrying all the fetus babies, that they need lots
3 of pure water. And I want you to all really
4 consider no fracking. Thank you.

5 (Applause from the audience.)

6 COMMISSIONER WASHINGTON: Thank you.

7 Ms. Workman?

8 MS. MEARS: I'm a little shorter than most of
9 them tonight. My name is Meredith Mears. And I
10 represent myself in an organization called Florida
11 Parents Rise. I also represent an organization
12 called Common Ground that includes many from both
13 sides of the aisle across our great state.

14 I strongly recommend you revisit the
15 Commissioner of Education position as an
16 appointment. In the last five years, we have had
17 multiple commissioners.

18 In particular, Former Commissioner of Florida
19 Tony Bennett resigned due to a growing scandal of
20 altering the grading formula in Indiana. That was
21 an absolute embarrassment to Floridians.

22 Our current Commissioner has been unwilling to
23 listen to concerned parents and educators over
24 testing standards and our flawed accountability
25 system. Reviewing this area of education will

1 allow, we, the people to exercise our right to vote
2 for a Commissioner of Education that we fit -- that
3 we view fit for the position.

4 The candidate can be well-vetted and held
5 accountable, if they fail to do their job, at the
6 voting booth. Elected officials will always be
7 held accountable in this manner. Appointed
8 officials cannot.

9 Please consider restoring the appointed
10 Commissioner of Education to an elected position.

11 Thank you.

12 COMMISSIONER WASHINGTON: Thank you.

13 Ms. Workman. And after Ms. Workman, we have
14 Bob Root, Antonelli Jean, and J.B. Clark.

15 MS. WORKMAN: Hi, I'm Erin Workman. I'm a
16 resident of Tallahassee, and I'm also a graduate
17 student at Florida State University where I teach
18 undergraduate courses in rhetoric and composition.
19 Thank you for the opportunity for allowing me to
20 speak today.

21 I would like to start by repeating by what
22 Brianna said because I think it's very important.
23 I also was one of the 14,000 people who
24 participated in the Tallahassee Women's March and
25 rally right here on FAMU's campus.

1 And as we made loud and clear then, we don't
2 want our access to reproductive rights attacked
3 through the legislative process. And we don't want
4 healthcare providers like Planned Parenthood
5 defunded. And we don't want women's rights
6 undermined in our state constitution.

7 The citizens of Florida opted for more
8 protection from governmental intrusion when they
9 approved Article 1, Section 23, of the Florida
10 Constitution. This amendment is an independent,
11 freestanding constitutional provision which
12 declares the fundamental right to privacy.

13 Article 1, Section 23, was intentionally
14 phrased in strong terms. The drafters of the
15 amendment rejected to use words like "unreasonable"
16 or "unwarranted" before the phrase "governmental
17 intrusion" in order to make the privacy right as
18 strong as possible.

19 The people of this state exercised their
20 prerogative and enacted an amendment to the Florida
21 Constitution, which expressly and succinctly
22 provides for a stronger right of privacy than found
23 in the U.S. Constitution. This Commission should
24 not threaten fundamental right to privacy for
25 women.

1 The decision about whether to end a pregnancy
2 or carry a pregnancy to term is personal, private,
3 medical decision. The decision is more -- there is
4 no decision more important and more private. And
5 we urge the CRC to preserve the explicit privacy
6 protections in Florida's Constitution as they
7 relate to women's access to abortion services.

8 COMMISSIONER WASHINGTON: Thank you.

9 (Applause from the audience.)

10 MR. JEAN: Hi. Thank you, Commission, for
11 giving everyone a chance to speak. My name is
12 Antonelli Jean-Guillaume. I'm a third-year
13 political science student here at Florida A & M
14 University.

15 And as one of the other speakers so eloquently
16 talked about, six million people right now in the
17 United States cannot vote, period, due to felony
18 disenfranchisement laws. 1.6 million are in the
19 state of Florida. If you do the math, Florida has
20 disenfranchised one-quarter of people who cannot
21 vote in the entire United States. And that is just
22 unacceptable.

23 This policy disproportionately impacts
24 minority and low-income communities who would
25 overwhelmingly vote liberally, which is why the

1 Governor does not, you know, restore the people's
2 rights.

3 Many in the -- many Floridian citizens have
4 come to see the executive clemency board as a
5 political tool which has subject Floridians to huge
6 swings in restoration of rights and both sides of
7 the political aisle.

8 So, I would ask this Commission to look to
9 revise Article 6, Section 4, to state that no --
10 explicitly state that no person convicted of
11 murder, sexual off- -- sexual offenses, or capital
12 offenses have their rights taken away because,
13 right now, there's a blemish on our democracy. And
14 Florida is not exemplifying the values that this
15 state or this country is all about.

16 Thank you.

17 (Applause from the audience.)

18 COMMISSIONER WASHINGTON: Thank you. Mr. Bob
19 Root, Mr. J.B. Clark, and Chase Cohee.

20 MR. ROOT: Yeah, I'm Bob Root from Shady
21 Grove, Florida. I've been here now over 50 years.

22 The very beginning of the Florida
23 Constitution, Article 1, Section 1, states that all
24 political power is inherent with the people. In
25 other words, the Florida Constitution conveys

1 instructions that, we, the people give to the
2 government service to follow.

3 In my opinion, this Constitution Revision
4 Commission is operating illegally in a top-down
5 approach to changing these instructions that we
6 should -- that should be coming from the
7 sovereigns. You are not elected by, we, the people
8 as our representatives, nor are you part of we, the
9 people of Florida, in assembly.

10 Another troubling aspect of this process are
11 the groups of individuals registering to lobby you.
12 By my count, on -- the April 11th, 2017,
13 registration list includes over 11,500 groups and
14 individuals. Many groups are government agencies
15 looking for special consideration. Again, a top-
16 down approach.

17 I think your course should be clear to correct
18 this basic problem: One, either resign as a group;
19 two, refuse to produce a single recommendation.

20 And I'm Bob Root, just one of the people. And
21 yeah, I understand the 60-percent rule, but if you
22 don't have a legal process from here to there, then
23 I think the whole thing is illegal.

24 COMMISSIONER WASHINGTON: Thank you.

25 Mr. Clark?

1 MR. COHEE: Cohee.

2 COMMISSIONER WASHINGTON: You're Cohee -- oh,
3 Chase.

4 MR. COHEE: Yes, ma'am. Mr. Chairman, members
5 of the Commission, I don't want to be one of the --
6 the males who shows up here and doesn't advocate
7 for women's rights, but I do think, in addressing
8 the privacy clause -- and I -- I think the privacy
9 clause does speak about the -- the private rights
10 of women.

11 I think we have to acknowledge that some of
12 the persons that are involved in that clause are
13 the unborn persons, including the unborn women, who
14 are only differentiated from adults because of
15 their physical and mental development and because
16 of their dependence upon a mother for a certain
17 period of time. I think it's wrong to discriminate
18 against people who are only separated from the rest
19 of us by those differentials.

20 So, I think that, in addressing the privacy
21 clause, we need to make clear that we are defending
22 not only the healthcare rights of adult women who
23 acknowledge -- I acknowledge are in difficult
24 situations with reproduction at times, but we -- we
25 need to address the rights of unborn male and women

1 and address their rights to life because the end of
2 that clause says that the public shall not lose the
3 right to enjoy the freedom of -- of public's
4 access.

5 And abortion is the most restrictive -- the --
6 the greatest restriction to public access because
7 it takes away the right to life from men and women.
8 So, I am concerned about women's rights. I'm also
9 concerned about women's rights of the unborn women.

10 COMMISSIONER WASHINGTON: Thank you.

11 Mr. David Geller, Joy Dixon, Amber Kelly, and
12 Dianne Williams-Cox.

13 (Brief pause.) You need the order again?
14 It's David, Joy, Amber, Dianne.

15 Thank you. Welcome.

16 MR. GELLER: Thank you. I'm David. I'm a
17 student at Florida State University. And I'm here
18 to speak about the privacy clause. And I would
19 like to explain why I believe the privacy clause
20 needs to be more clear about what exactly is
21 protected under this clause.

22 I'm a staunch supporter of privacy rights, but
23 I don't believe abortion is a privacy right. Real
24 issues concerning privacy include computer hacking,
25 surveillance drones, and even our own government

1 spying on us.

2 So, we don't just allow the weak and
3 unrepresented to be murdered. So, why is it that
4 when the weak and unrepresented person is inside a
5 body, we permit their murder? Is it not a person?
6 Does the fact that the -- that person is inside of
7 a womb make it any less of a person? And to those
8 that would say a fetus is merely a cluster of
9 cells, are we all not just clusters of cells?

10 And this does not make me anti-women. I don't
11 believe that. I think -- I just believe that a
12 fetus counts as a person. And if the clause gives
13 someone the right to abort a fetus in the name of
14 privacy, then why is it illegal for me to just kill
15 someone I may not like, in the name of privacy,
16 under this amendment? That's an honest question.
17 And I have yet to hear a good answer.

18 Thank you very much.

19 COMMISSIONER WASHINGTON: Thank you.

20 Ms. Dixon, welcome.

21 MS. DIXON: To Mr. Chairman and Commission,
22 good evening. My name is Joy Dixon. I'm a Tampa
23 native, a sixth-generation Floridian, and now a
24 Tallahassee resident. Thank you for your service
25 here today.

1 I stand before you today in support of an
2 amendment that would automatically restore a
3 felon's right to vote after serving their time in
4 prison and finishing probation and patrol; not
5 after five years, not after three years, but
6 automatic restoration of voting rights.

7 Restoring voter rights to former felons helps
8 integrate these individuals back into society and
9 will help reduce their likelihood of returning back
10 into imprisonment.

11 I am a proud Floridian, but it is very
12 disheartening to know that our great state has one
13 of the harshest policies in the nation. We're a
14 nation that loves a great comeback story. I mean,
15 you've seen episodes of Dancing with the Stars
16 okay?

17 But it would be really wonderful to reside in
18 a state that provides the opportunity to come back
19 and have the understanding that, if given the
20 opportunity to contribute, people who have served
21 their time can become productive members of
22 society. And it begins as soon as they serve their
23 sentence.

24 With that being said, as you make your
25 recommendations, I urge the CRC to include an

1 amendment to propose automatic restoration of
2 felons' voting rights. Thank you.

3 COMMISSIONER WASHINGTON: Thank you.

4 (Applause from the audience.)

5 MS. KELLY: Hi, my name is Amber Kelly. And I
6 know you have heard a lot about Article 1,
7 Section 23, tonight. But for just a moment, I want
8 you to put aside your thoughts about whether you're
9 pro-life, you're pro-choice, and put those aside,
10 and think about it this way: In 1980, the Florida
11 Constitution was amended to give a right to
12 privacy.

13 How many of you have ever told -- you have two
14 kids and you told your kids to do something. You
15 told the kid, you can go up and clean your room.
16 And you tell your other kid, make sure they're
17 going up and cleaning their room. And, all of a
18 sudden, your second child is telling the first, oh,
19 mom said you can go out and play with the kids, and
20 you don't have to come back tonight; you can come
21 back to tomorrow.

22 Well, in essence, that's what happened. The
23 voters, those who put on the ballot, never talked
24 about the right to abortion. They talked about
25 informational privacy. And all of a sudden, we

1 have a court who interprets from nowhere a right to
2 abortion. Came from nowhere. No arguments.

3 So, today, we're looking at, we need a right
4 to informational privacy, in an age where we have
5 increasing amounts of information that are being
6 collected with or without our consent and where
7 those lines are.

8 So, just in talking about drones, for example,
9 in most -- in most scenarios, drones are being
10 flown for traffic management, law enforcement,
11 crime-scene photography, et cetera. But we now
12 have over 340 state agencies across the country
13 that are using unmain- -- unmanned drones and
14 collecting information without you ever knowing
15 anything about it.

16 In addition, Americans, according to a Pew
17 Trust -- Pew Charitable Trust survey found that
18 Americans are very, very concerned about their
19 informational privacy.

20 And finally, I would just like to quote a
21 Slate article that appeared yesterday, talking
22 about how courts have dodged the issue of
23 informational privacy.

24 They go -- they conclude their article with
25 saying: Courts can't see -- can't keep

1 sidestepping the fact that increasingly
2 sophisticated data is subject to the whims of law
3 enforcement and Silicon Valley. The
4 inconsistencies and lack of uniformity are not only
5 baffling, but also too important to dodge.

6 I would say that Florida can be a leader in
7 this area, and you can make that happen.

8 COMMISSIONER WASHINGTON: Thank you.

9 (Applause from the audience.)

10 MS. WILLIAMS-COX: Good evening. Welcome to
11 Tallahassee. My name is Dianne Williams-Cox. And
12 I have served as a public servant for this area for
13 a number of years. I also was born and raised in
14 Gadsden County. And I now live here in
15 Tallahassee. And I'm a proud Rattler.

16 I rise because my community has many issues,
17 but the issue that is of most importance to me,
18 being the mother of three sons, is the fact that we
19 have a school-to-prison pipeline in the state of
20 Florida. And once they get in that cycle, they
21 eventually lose their right to vote.

22 I ran for office. And I ran into many people
23 who could not vote for me because they lost their
24 right to vote. Some of them lost those rights in
25 the sixties, committing what was considered a crime

1 at the time, which was to fight for the vote.

2 I ask you: Is it not time for Florida to join
3 the rank and file of other states or take the lead
4 and allow individuals who have served their time,
5 paid their restitution, done what they need to do?

6 Let's restore them. Let's give them back
7 their right to vote. I believe that some of you,
8 who've also sought public office, would benefit
9 from those individuals being replaced -- being put
10 back on the -- on the voter's roll.

11 So, I ask you -- I appeal to you, please,
12 consider that. Florida is a leader in many areas.
13 Some, we do not appreciate. Here is an opportunity
14 for us to take the lead and show Flor- -- show the
15 rest of the country who we really are. Thank you.

16 (Applause from the audience.)

17 CHAIRMAN BERUFF: We want to thank everyone
18 who has participated this evening. Is there anyone
19 else that would like to speak? That concludes the
20 cards we have.

21 Seeing none, the Chair would entertain a
22 motion to adjourn.

23 UNIDENTIFIED SPEAKER: So moved.

24 SIMULTANEOUS SPEAKERS: Second.

25 CHAIRMAN BERUFF: Meeting is adjourned. Thank

1 you very much.

2 (Whereupon, the proceedings were concluded at
3 7:20 p.m.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, ANDREA KOMARIDIS, Court Reporter, certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages, numbered 1 through 103, are a true and correct record of the aforesaid proceedings.

I further certify that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 24th day of April, 2017.

ANDREA KOMARIDIS
NOTARY PUBLIC
COMMISSION #GG060963
EXPIRES February 9, 2021