

2017-2018
CONSTITUTION REVISION COMMISSION

Taken on: April 7th, 2017 at 9:00 a.m.

Location: Florida Atlantic University
777 Glades Road,
FAU Stadium
Boca Raton, Florida 33431

Taken before JESICA MARIA GARCIA GUTIERREZ, Court
Reporter and Notary Public in and for Palm Beach
County, State of Florida at Large.

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- 1 APPEARANCES :
- 2 CHAIRMAN CARLOS BERUFF
- 3 COMMISSIONER JOSE ARMAS
- 4 COMMISSIONER PAM BONDI
- 5 COMMISSIONER LISA CARLTON
- 6 COMMISSIONER TIMOTHY CERIO
- 7 COMMISSIONER HANK COXE
- 8 COMMISSIONER ERIKA DONALDS
- 9 COMMISSIONER DON GAETZ
- 10 COMMISSIONER EMERY GAINNEY
- 11 COMMISSIONER ANNA MARIE HERNANDEZ GAMEZ
- 12 COMMISSIONER BRECHT HEUCHAN
- 13 COMMISSIONER MARVA JOHNSON
- 14 COMMISSIONER DARLENE JORDAN
- 15 COMMISSIONER ARTHENIA JOYNER
- 16 COMMISSIONER FRED KARLINSKY
- 17 COMMISSIONER BELINDA KEISER
- 18 COMMISSIONER FRANK KRUPPENBACHER
- 19 COMMISSIONER PATRICIA LEVESQUE
- 20 COMMISSIONER ROBERTO MARTINEZ
- 21 COMMISSIONER RICH NEWSOME
- 22 COMMISSIONER CHRIS NOCCO
- 23 COMMISSIONER JEANETTE NUNEZ
- 24 COMMISSIONER BILL SCHIFINO, JR.
- 25 COMMISSIONER CHRIS SMITH

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- 1 COMMISSIONER BOB SOLARI
- 2 COMMISSIONER CHRIS SPROWLS
- 3 COMMISSIONER JOHN STEMBERGER
- 4 COMMISSIONER PAM STEWART
- 5 COMMISSIONER CAROLYN TIMMANN
- 6 COMMISSIONER JACQUI THURLOW-LIPPISCH
- 7 COMMISSIONER NICOLE WASHINGTON

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1 MR. BERUFF: Good morning. If everybody
2 could settle down, I would like to convene the
3 meeting -- please. Whenever you're ready.

4 MR. KIAN: Thank you. Good morning -- can
5 you hear me?

6 AUDIENCE: No.

7 MR. KIAN: It's on. There we go. Hello?
8 Good morning, Mr. Chairman. My Name is David
9 Kian. I'm vice president and general counsel
10 of Florida Atlantic University. And members of
11 the commission and guests, on behalf of the
12 Florida Atlantic University Board of Trustee's,
13 and President John Kelly, and the entire
14 Florida Atlantic University community, welcome,
15 and thank you for giving us this opportunity to
16 host you here on FAU's beautiful main campus.
17 FAU is on a path to becoming the country's
18 fastest improving public university. Our
19 commitment to excellence is evident across all
20 of our 6 campuses and our more than 30,000
21 students. As many of you may know, last year
22 the Florida Board of Governors announced that
23 FAU was tied with UCF as the top performing
24 public university in the State of Florida.
25 Based on the boards performance funding

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1 measures. Not content to rest on our morals,
2 our administrators, faculty, staff, and
3 especially students are working with passion,
4 focus, and great intensity to improve everyday.
5 In this fall we welcomed a new freshman class
6 of more than 3,200 students boasting the
7 highest GPA in the university's history. And
8 we're not just competing for the best students,
9 recruiting outstanding faculty and staff is a
10 key objective of the university's strategic
11 plan, and we continue to add research and
12 teaching superstars to our team.

13 We are deeply grateful for all of you for
14 undertaking the important work here and
15 throughout the state that you are doing today.
16 We look forward to following the commission's
17 progress over the next year. As you continue
18 to travel the state, I invite all of you to
19 come to any of our campuses and take a tour to
20 see first hand the amazing things that are
21 taking place at FAU. We are moving forward
22 with unbridled ambition to make FAU one of the
23 most innovative and productive engines of
24 economic growth, in Florida and our nation.

25 Thank you very much. Welcome to our
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1 campus, and go Owls.

2 MR. BERUFF: Thank you.

3 AUDIENCE: Excuse me, sir. I have an
4 issue with you. You stole our CFO. I've
5 already sent him a picture and told him I'm
6 proud to be in his new home.

7 MR. KIAN: Thank you very much. We're
8 proud of that hire. Like I said, we are --

9 AUDIENCE: You should be.

10 MR. KIAN: -- we don't hesitate to take
11 the best.

12 MR. BERUFF: Welcome to our third meeting
13 of the CRC. My name's Carlos Beruff and I was
14 appointed by Rick Scott, and it's a pleasure to
15 be here. I want to thank you for the
16 hospitality. It's a wonderful room, and the
17 only thing that could be better if there was a
18 football game behind us, but that's okay.

19 I'd like to start by Commissioner Erika
20 Donalds will say the vocation for us this
21 morning. Thank you, Commissioner Donalds.

22 MS. DONALDS: Heavenly father we ask your
23 blessing upon these proceedings today. Give us
24 your wisdom and your discernment as we continue
25 this important task as our focus is and will

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1 continue to be the prosperity of this great and
2 blessed state you have given us. Help us to
3 remember, Lord, that unless you build this
4 house, our labor will be in vain, and unless
5 you guard this place, our watching over it will
6 also be in vain. Therefore we ask for your
7 guidance and your mercy today for our efforts.
8 We ask for your blessing upon all that are here
9 in a spirit of service to our state, the
10 commissioners, the staff, and the citizens.
11 May we be united in your divine purpose. Thank
12 you, Lord, for protecting us all as we travel
13 home to our families this afternoon. And,
14 Lord, I ask your blessing on all of the
15 families represented here for their sacrifices,
16 so that we all can do what you have called us
17 to. I pray these things in the name of Jesus.
18 Amen.

19 AUDIENCE: Some of us are Jews here, to be
20 frank.

21 MR. BERUFF: If we could all stand for the
22 Pledge of Allegiance. That will be lead by
23 Carolyn Timmann.

24 MS. TIMMANN: Please join us in the
25 pledge.

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1 (Thereupon the Pledge of
2 Allegiance was recited and the
3 proceedings continued as
4 follows:

5 MR. BERUFF: Some of you might ask what
6 the CRC is. Obviously it's a -- it's a way for
7 a citizen in Florida to put on the ballot a
8 constitutional amendment that could change the
9 trajectory of the state for future generations.
10 So it's a pretty big deal because it cuts
11 through all of government and you can come in
12 front of that microphone with an idea and that
13 idea could take ways and that idea can end up
14 on the ballot November 2018. So it's really
15 unique to Florida and this, as you know,
16 happens once every 20 years. So I welcome the
17 comments. We're going to hold comments to 2
18 minutes so that we can get everybody heard.
19 Everything is being recorded. They'll be a
20 permanent record of these meetings and then
21 live stream throughout Florida for those of you
22 who want to watch it again at the convenience of
23 your home. Last time we met was 1998, '97,
24 '98. There was 5 million less people in
25 Florida, and Facebook didn't exist, so we

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1 have -- we have all the social media on our
2 website, so if you want to directly write us,
3 you can comment, you can also do that also.

4 With that said, I'm going to open the
5 meeting and we'll turn the gavel over to
6 Commissioner Karlinsky who will run the
7 meeting. And we will break in an hour, so our
8 stenographer can rest her hands for five
9 minutes. Thank you so much.

10 MR. KARLINSKY: Thank you very much, Mr.
11 Chairman. Good morning, everyone. What we
12 will do is we will call three people up at a
13 time. Just stand. I think that's the only mic
14 we have. So just line up in the order that
15 you're called. Two minutes and there are
16 clocks on either one of the TV's, so we'd ask
17 that everyone respect that two minutes, so that
18 we can get everyone's comments in this morning.

19 Harry Scott Boggs, Christina Sheehan, and
20 Susan Pine, please step up to the microphone.
21 Mr. Boggs, good morning and welcome.

22 MR. BOGGS: I am Mr. Boggs, thank you.

23 Harry Scott Boggs. And you all will be
24 blessed and cursed for many things, but you --
25 it's not your fault that you brought 10 degree

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1 cooler weather here from last weeks meeting in
2 Orlando -- that you last Thursday night, I
3 believe. And I'm smiling, but hopefully not
4 cold blooded person who talks a lot about
5 physician's orders for life sustaining
6 treatment. And I'm not anti-doctor by any
7 means, but I ask doctors and I ask some
8 patients, has there ever been an order years
9 ago that you've wrote and then you forgot all
10 about it or was -- has there been a
11 prescription that you've received as a patient
12 and you lost it or you forgot about it or took
13 it for granted? Now, POLST is a physician's
14 order, and in the 22 states that have this type
15 of structure, what they do out west in
16 particular is they put it in a folio that might
17 be a gaudy red or something that is easily seen
18 by different care givers. Now, you may write
19 this up at the age of 22 in an acute care
20 setting just because you broke your knee riding
21 a bike, but these orders because they're in
22 something that can be easily seen, these can be
23 placed on a gurney and if your unconscious, the
24 other first responders will see them and will
25 enforce them, whether you're conscious or not.

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1 And if you're in a distant state, you may be in
2 a particular situation where you do not want
3 POLST to be invoked the way you wrote it 30
4 years earlier. These 22 states should
5 retroactively put in their Constitutions a ban
6 on this type of structure. I'm confident in
7 saying that. Florida should too. Ban POLST,
8 and as a corollary of that, ban physician
9 assisted suicide.

10 MR. KARLINSKY: Thank you very much, Mr.
11 Boggs.

12 MR. BOGGS: Thank you.

13 MR. KARLINSKY: Ms. Sheehan.

14 MS. SHEEHAN: Thank you. My name is
15 Christina Sheehan. I play a prominent role in
16 the youth teens of 40 Days for Life efforts.

17 MR. KARLINSKY: A little bit closer to the
18 microphone.

19 MS. SHEEHAN: I play a prominent role with
20 the youth teens of the 40 Days for Life efforts
21 in the Palm Beaches and the Treasure Coast.

22 Thank you for the opportunity to speak
23 regarding Article 1, Section 23 of the Florida
24 Constitution. Florida voters adopted the
25 amendment to protect personal information of

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1 the dawn of advancing technologies. Today we
2 have real privacy issues such as drones,
3 computer hacking, smart phones, identity theft,
4 to name a few. There's a clear need for
5 informational privacy, however, since 1989 as a
6 result of activist judges who abused their
7 power, the amendment has been turned on its
8 head and used illegitimately for a right to
9 abortion. Albeit Roe versus Wade already
10 exists. This is wrong. I implore the
11 commission to not only restore the Florida's
12 privacy amendment, I ask that the
13 commission make restoring Article 1, Section 23
14 a priority. Thank you.

15 MR. KARLINSKY: Thank you very much, Ms.
16 Sheehan. Ms. Pine, and then after Ms. Pine
17 we're going to ask Ms. Trombino, Ms. Sheehan
18 again, Elizabeth Sheehan, and then Ms. Range to
19 come up.

20 MS. PINE: Good Morning, my name is Susan
21 Pine. I represent Face Life, Inc., a Florida
22 nonprofit organization. I thank the commission
23 for the opportunity to bring the concerns of
24 those I represent and mine to you regarding the
25 Florida Constitution. The privacy amendment

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1 Article 1, Section 23 was adopted in 1980 by
2 Floridians in order to protect themselves from
3 the government's increasing ability to gather
4 personal information to increasingly modern
5 investigative technology. However, in 1989 the
6 amendment was perverted by The Florida Supreme
7 Court to create a fundamental right to abortion
8 that doesn't exist for a minor girl. Since
9 that time, Florida's privacy amendment has been
10 seen as the right to abortion and not as a
11 right to informational privacy. The people of
12 Florida have been heartily betrayed. We implore
13 you to right this wrong and take whatever
14 action deemed necessary to restore Article 1,
15 Section 23, to it's original intent. I thank
16 you all for what you're doing. It's an awesome
17 responsibility. I'm sure I can't imagine what
18 it's like to be in your shoes. Thank you.

19 MR. KARLINSKY: Thank you very much. Ms.
20 Trombino.

21 MS. TROMBINO: Well, hi, my name is Sue
22 Trombino, and as an American citizen, a
23 Floridian, a president and founder of Women
24 Impacting the Nation, and a mother, I am very
25 concerned about the issues at hand. And the

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1 Florida privacy amendment, Article 1, Section
2 23, which was intended by its author and voters
3 who adopted it for informational privacy, not
4 for abortion. The privacy amendment as just
5 was spoken was adopted in 1980 by Floridians in
6 order protect themselves from the government's
7 increasing ability to gather personal
8 information through increasingly modern
9 investigative technologies. However, in 1989,
10 as it was just stated, it was twisted by the
11 Florida Supreme Court to create a fundamental
12 right to abortion for a minor girl. Since that
13 time, Florida policy amendment has been seen as
14 a right to abortion, not as a right to
15 informational privacy. It is clear that the
16 Florida Supreme Court ignored the intent of the
17 drafters and the voters. It is clear that
18 there is a disconnect and it is not seneschal
19 and truth needs to prevail. And now you as a
20 committee need to fix this amendment, Article
21 1, Section 23, by restoring it to its original
22 purpose and intent of an informative privacy.
23 You will hear from many people today, not only
24 today, but in other cities. There is a lot of
25 emotion pent up, but your job, no matter what

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1 liberal activist judges on the Florida Supreme
2 Court, betraying the people of Florida by
3 creating a fundamental right for a minor to
4 kill her unborn child. In reality this is an
5 amendment that was intended and adopted for
6 informational privacy. I am asking that the
7 CRC restore Florida's privacy amendment to it's
8 original purpose, to protect informational
9 privacy and not abortion. I have lived in the
10 State of Florida for 50 years, so I was
11 teenager, I grew up in Florida, I love Florida.
12 I love the motto, in God we trust and I believe
13 that -- I thank you for being here today and I
14 thank you for listening to us. God Bless you.

15 MR. KARLINSKY: Thank you very much. Mary
16 Range. Next up will be Virginia Jens, Robert
17 Otto, and Shannon Otto.

18 MS. RANGE: My name is Mary Jane Range and
19 I'm a volunteer with Floridians for Fair
20 Democracy. This organization is working to
21 restore the voting rights of men and women who
22 are convicted of non-violent crimes. These
23 Florida citizens have served their time and
24 made all restitution, but are prohibited from
25 voting because of the Florida's difficult

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1 requirements for seeking restoration. As you
2 know two states already allow felons in prison
3 to vote. Florida is one of only four states
4 that revokes the civil rights of felons for
5 life, unless restored by the board of executive
6 clemency. And again, I know you've heard
7 before that over 1.6 million Floridians have
8 complete -- have completed their terms of
9 incarceration or supervision, but have not had
10 their rights restored. For those -- for the
11 more than 10,000 in this state who have started
12 the long process of requesting restoration, the
13 waiting list is estimated to be 51 years. Many
14 do not even start because the process is
15 expensive and they know their chances are slim.
16 I'm asking that you please consider a proposed
17 amendment to Article 6, Section 4, that would
18 automatically restore the voting rights to
19 these men and women of all political parties,
20 genders, ethnicities, and ages who have paid
21 their debt to society and deserve a second
22 chance to become full members of their
23 community. Thank you.

24 MR. KARLINSKY: Thank you. And then Ms.
25 Jens.

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1 MS. JENS: Yes, thank you. My name is
2 Virginia Jens. Since the death penalty was
3 reinstated in 1978 --

4 AUDIENCE: Louder. We can't hear you.
5 Louder.

6 MS. JENS: Since the death penalty which
7 reinstated in 1978, there have 92 executions in
8 Florida, while 26 percent have been exonerated.

9 There are now 371 prisoners on death row
10 awaiting execution. If the rate of executions
11 to exonerations continues, 93 innocent
12 individuals are now on death row awaiting
13 either exoneration or execution in the name of
14 the people of Florida. The death penalty
15 doesn't have oops clause. If they're dead when
16 you find out they're innocent, you know, we
17 can't go back and bring them back to life. The
18 death penalty is not cost effective nor in the
19 best interest of judge -- of justice. The
20 State of Florida spends 51 million annually to
21 enforce securing death penalty. That's 147,000
22 per prisoner on death row because of the
23 general population in 2015, '16 was filed
24 19,500 per year. I can think of other places
25 to use that money. Further -- for France --

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1 execution does not render justice to victims,
2 but fosters vengeance. When a death penalty is
3 applied it's not for a current active
4 aggression, but rather for an act that was
5 committed in the past. And it's also applied
6 to people whose current ability to harm is not
7 current, but has been neutralized. They've
8 already been deprived of their liberty. We are
9 to -- to include life imprisonment with no
10 chance of parole and eliminate the death
11 penalty from the Constitution. Thank you.

12 MR. KARLINSKY: Thank you. Dr. Otto.

13 MR. OTTO: Good morning, my name is Dr.
14 Robert Otto and I'm asking you to consider a
15 correcting an overstepping of constitutional
16 authority by our Supreme Court. The issue at
17 hand is Article 1, Section 23 which was added
18 via the amendment process in 1980. It
19 addresses the right of privacy. It was
20 intended to protect private citizens
21 information from being collected by the
22 government. And the justice overturned when he
23 charged the CRC in 1977 and said that that was
24 the intent and need them to look into. The
25 problem came in 1989 with Justice Shaw expanded

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1 the meaning of that section to cover certain
2 choices other than just information. And
3 whether we agree with Justice Shaw's
4 perspective, people are going to talk abortion
5 and how that effected abortion, that's really
6 not the heart of this issue. The heart of this
7 issue is that Justice Shaw as a justice did not
8 have the constitutional authority to change our
9 Constitution. We have an amendment process
10 that does that and that belongs to we the
11 people. The CRC had wanted to include that
12 issue back then and they would have, but they
13 didn't, they kept it to informational privacy
14 and they were deliberate in their words and
15 that just you will be on the -- on the
16 proposals that you put forward. Similarly,
17 when we the people voted on this amendment, we
18 voted on the words that were on the ballot. We
19 didn't vote on words that a judge or a justice
20 could morph them into in the future. Article
21 1, Section 1 of our Constitution states that
22 all political power is inherent with the
23 people. We the people of this state have not
24 granted the authority to amend or change our
25 constitution to any justice. That is an

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1 authority, matters of power that we the people
2 retain. So when Justice Shaw magically
3 expanded a meaning of words, he assumed
4 authority that he as a justice has not been
5 given. That is not an abortion issue. That's
6 an issue of constitutional authority and the
7 rule of law in our country. So I would
8 encourage you and challenge you please fix the
9 encroachment by submitting a proposed amendment
10 asserting that Article 1, Section 23, addresses
11 only information of collection. Thank you very
12 much.

13 MR. KARLINSKY: Thank you Dr. Otto. After
14 Ms. Otto we're going to go to Phillip Werman,
15 and then apparently the Dieterle Family, Marla
16 Dieterle, Emma Dieterle, and Jessie Dieterle.
17 I hope I pronounced that correct. But, Ms.
18 Otto, welcome.

19 MS. OTTO: Yes, good morning, and thank
20 you. My name is Shannon Otto. I am asking you
21 to correct an overstepping of constitutional
22 authority by our Supreme Court. The issue at
23 hand centers on Article 1, Section 23 of the --
24 of our Florida Constitution which was added via
25 the amendment process in 1980, as you know.

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1 Article 1, Section 23 addresses the right of
2 privacy. The original intent was to protect
3 informational privacy. However, since in 1989
4 Florida Supreme Court ruling for which Justice
5 Shaw wrote the opinion, the meaning of the
6 privacy clause of our Constitution has been
7 expanded to include more than just information,
8 as you've heard already this morning. Some of
9 you may not think this is significant. I -- to
10 question. They may view our Constitution and
11 many of you may view our Constitution as a
12 living document. If you have the
13 perspective -- if you have this perspective,
14 you may think that although the original intent
15 of Article 1, 20 -- Section 23 was the
16 protection of informational privacy in order to
17 maintain relevance that meaning needed to grow
18 over time to keep pace with society. I would
19 submit to you that such reasoning is
20 inconsistent with the fact that you are serving
21 on a committee today that is charged with
22 viewing our Constitution and proposing
23 amendments to keep it -- keep it current as
24 times change. If our written Constitution
25 could evolve on it's own, then there would be

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1 no need for the committee on which you serve.
2 If the Constitution could evolve on it's own,
3 why did those who wrote it give us an amendment
4 process? A living Constitution could amend
5 itself. That is why the issue at hand is not
6 just about privacy, it is a much bigger issue
7 than privacy. At it's core it is about a
8 violation of the Constitution of our state and
9 the stealing of my right as a citizen. If --
10 if this can be -- in one area, then none of my
11 rights are safe from future evolving trend.

12 MR. KARLINSKY: Thank you very much Ms.
13 Otto. Mr. Werman.

14 MR. WERMAN: Before the clock starts, I
15 just need to make a disclaimer. My wife wrote
16 this, but she's unable to be here this morning.
17 I read it two hours ago, so I had to change
18 some gender references in here. And the
19 Dieterle's is my daughter and my grandchildren
20 behind us.

21 Okay. My name is Phil Warmen. I
22 appreciate and thank you very much for the
23 privilege to be part of the constitutional
24 revision process, and here are the talking
25 points. In 1989 six judges on Florida Supreme
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1 Court ignored the intent of the drafters of
2 Article 1, Section 23 to the voters of our
3 state. These crafty judges altered Florida's
4 privacy amendment and used it not only to give
5 minor girls a fundamental right to abortion,
6 but they allow the law to protect their right
7 to privacy inserting this decision, she would
8 be allowed to make the decision to abort her
9 unborn baby all on our own. This minor child
10 does not need the legal counsel of her parent.
11 I am compelled to stand before you this
12 morning. We carry with us, meaning my wife and
13 myself, great grief that at the times was
14 almost unbearable for us to live with for the
15 last 44 years, but with the grace of my god, we
16 believed the ugly lie that within my wife's
17 pregnant womb was just tissue. This is the
18 tissue a 12 week old fetus in the womb. The
19 decision to abort was then an easy one, but the
20 truth is that cells within the womb of a
21 pregnant mother are knitted together at the
22 moment of conception to form a living,
23 breathing, human being. It is a baby that is
24 fearfully and wonderfully made, praise of the
25 lord. My wife has been blessed with a wide

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1 circle of friends. She knows so many women who
2 like herself, believe the same ugly lie and had
3 an abortion, and everyone of them lives with
4 regret to this day. I implore you to think
5 about the young child who's making the decision
6 without the counsel and wisdom of an adult. At
7 that young age, life within her womb is a
8 inconvenience and an option before she saves
9 her from responsibility that she doesn't want.
10 At that young naive age, there is no connection
11 to the reality of what this decision will mean
12 for her one day.

13 MR. KARLINSKY: Thank you very much Mr.
14 Wermen, we appreciate it. Ms. Dieterle.

15 MS. DIETERLE: I would like to thank the
16 commission for this opportunity to share my
17 concerns with you today. I am a home educated
18 student and I'm passionate about politics and
19 legislative decisions currently taking place in
20 our state and country. I desire for our state
21 to conform to the original ideas of our
22 constitutional republic. This issue I'd like
23 to just -- to address is concerning the
24 unlawful the use of Article 1, Section 23 of
25 the Florida Constitution. This article is

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1 originally intended for the protection of the
2 people from government surveillance. However,
3 it is now used as justification for abortion.
4 I consider abortion to be morally wrong.
5 Standards of morality have been set forth by
6 god and the bible. In the old testament,
7 Exodus 22, god states as a purposeful death of
8 an unborn child in the womb is considered
9 murder. This unborn child is considered a
10 living human being according to god. It is
11 interesting to note that there are no species
12 of animals that destroy life in the womb, yet
13 our human species continues to annihilate
14 millions of babies in the womb in our very own
15 nation. It expands especially important to me
16 that the State of Florida would create a lawful
17 condition that allows for a minor to murder the
18 life of a baby that god himself created.
19 America is a nation governed by rules and laws.
20 Murder in any form is not to be tolerated in
21 any state, especially in our home State of
22 Florida. I request this committee to amend
23 Article 1, Section 23 to interpreted in the
24 light of it's original intent and to allow the
25 State of Florida to have more laws as our

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1 founding fathers established. I request to
2 please amend Article 1, Section 23 back to it's
3 original intent. May the lord bless each one
4 of you as you make this critical decisions for
5 the citizens of Florida and in the eyes of god.
6 Thank you.

7 MR. KARLINSKY: Thank you. After Ms.
8 Dieterle, we'd like Jonathan Ownes, Maureen
9 Mann, and Gary Gelo to come up. Ms. Dieterle,
10 go on.

11 MS. DIETERLE: Thank you. I want to thank
12 the members of the committee today for hearing
13 the heart and will of the people of Florida. I
14 represent a constituency group in Boca Raton
15 called WAM. Our founding fathers and fourth
16 president of the United State James Madison
17 said, do not separate tax from historical
18 background, if you do you will have a perverted
19 and subverted the constitution which, can only
20 add in a distorted bastardized form of
21 illegitimate government. I submit to the
22 commission today that the clear and original
23 intent of Article 1, Section 23 that was passed
24 in 1980, Florida legislature was to protect the
25 citizens of Florida from governments increasing
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1 ability to gather personal information through
2 modern investigative technologies. The
3 original intent was never to address any
4 abortion issue. Our Florida Constitution has
5 been subverted and I passionately submit to the
6 commission to fix, correct, and amend the
7 article back to its original intent and not
8 apply it as an abortion clause. We are one
9 nation under god. The original intent of our
10 nation was to be a nation governed by god's
11 word and with utmost integrity. My concern as
12 a citizen of the United States of America and a
13 resident of the great State of Florida is for
14 the scanty of life that the almighty -- of
15 the universe has granted to each of us. We
16 have the right to life, liberty, and the
17 pursuit of happiness as delineated in the
18 Declaration of Independence. Thomas Jefferson,
19 the third president of the United States, said
20 that the care of human life and happiness and
21 not for destruction as the first and only
22 legitimate object of good government. All
23 created life must be protected by good
24 government. In the old testament, Jeremiah 1:5
25 says, before I formed you in the womb, I knew

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1 you. God creates life and this life is under
2 his care. Article 1, Section 23 was written
3 for informational privacy. The original intent
4 was never regarding abortion. Moses, the law
5 giver, sits in the halls of our national
6 capital. God used him in a -- mighty way and
7 in the same respect this juncture in the
8 history of the State of Florida may god give
9 you, the current commission, the wisdom and the
10 humility to hear the will of the people and
11 amend that change Article 1, Section 23 back to
12 the original intent. May God -- thank you.

13 MR. KARLINSKY: Thank you very much Ms.
14 Dieterle. Thank you. Mr. Dieterle. And let's
15 also make sure we're being respectful of the
16 speakers and not jittering. Everyone will have
17 a chance to speak.

18 MR. DIETERLE: Thank you for allowing,
19 giving me this opportunities to speak before
20 the commission today.

21 MR. KARLINSKY: Move closer to the mic.

22 MR. DIETERLE: Thank you for allowing me
23 to speak to this commission today. I'm home a
24 education student and it's my desire today to
25 inform the commission upon an issue which

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1 threatens the notion of self-government and
2 morality. Article 1, Section 23 delineates the
3 idea that the people are to be protected from
4 unlawful intrusion into ones life by the
5 government of this state. George Washington
6 sets forth in writings laws made by common
7 consent must not be trampled upon by
8 individuals. Nevertheless in 1989 the Florida
9 Supreme Court trampled upon the laws made by
10 the people of Florida and reinterpreted Article
11 1, Section 23. The Supreme Court became a law
12 upon -- onto themselves enforcing abortion into
13 this text. The Florida Supreme Court seized
14 the power of the people, disregarded the will
15 of the people, produced legislation, and
16 entirely misconstrued the meaning of this text.
17 In 1989 the principle of self-government and
18 original intent was sacrificed on the alter of
19 judicial tyranny. The second blunder I see
20 with this ruling is its justification of
21 abortion. Abortion in my opinion is a heinous
22 crime against life. John Adams, our second
23 president, declared our nation to be only made
24 for moral, religious people which supposes our
25 laws to be based on the bible. According to
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1 the bible in Leviticus, the life of a
2 creature's in the blood. At 22 days an unborn
3 child has a circulatory system and therefore
4 according to biblical ethics is a living being.
5 According to our founding fathers, an unborn
6 child is a living human being. Therefore the
7 purposeless sheading of blood must cease in the
8 light of the bible, original intent, and
9 science, therefore life must be defended. I
10 appeal to this commission today to amend
11 Article 1, Section 23 to express the will and
12 intent of the people and denounce immorality.
13 If this committee will amend it, god will
14 surely bless Florida for standing for
15 self-government, morality, and the life of an
16 unborn child.

17 MR. KARLINSKY: Thank you very much.

18 MR. DIETERLE: And I have a amendment I
19 propose for the Constitution. Who do I -- can
20 I leave it?

21 MR. KARLINSKY: You can leave it right
22 there. Thank you. Mr. Owens.

23 AUDIENCE: I just -- we were told by the
24 people downstairs that we would be taken in the
25 order in which we arrived here and signed in.

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1 It's -- I've gone through 25 people now and I
2 -- I -- I don't see that --

3 MR. KARLINSKY: Thank you. Mr. Owens.
4 Please also when you come up to podium to the
5 microphone state your name again.

6 MR. OWENS: My name is Jonathan Owens. I
7 have served on the school advisory board for
8 the City of Oakland Park, and one of the things
9 I want to talk about a little bit was education
10 reform. And I think our state legislator is
11 going in the wrong direction in keeping
12 proposals going about siphoning money off to
13 charter schools. The reality is 90 percent of
14 our public is educated in public schools and
15 public dollars need to go into public schools.
16 And I would like us to consider that only
17 public schools should receive that. Broward
18 County alone has \$3 billion in needs of
19 infrastructure. A \$790 million state increase
20 is not enough to fund when you have one county
21 alone needing billions of dollars. So I would
22 like to consider that.

23 Second issue, lobby reform. We need to
24 consider doing something that actually curtails
25 lobbying on out state legislature. Last year

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1 we had a ballot measure that was brought forth
2 by our power companies that was essentially
3 bought. We need to stop allowing corporations
4 to go in and buy their way in to the
5 legislator, quit contributing campaign dollars
6 to people who run for office, and allow that to
7 be just invested by private citizens who have
8 interest in who's running for office. The
9 reality is lobbying only should exist for the
10 citizens, that's who the government represents.
11 Thank you for your time.

12 MR. KARLINSKY: Ms. Mann, welcome. And
13 then after Mr. Gelo we're going to go to Barry
14 Dockswell, Ronald Platt, and Aaron Katanic, so
15 please step up.

16 MS. MANN: Thank you. Welcome to
17 beautiful Boca Raton. My name is Maureen Mann
18 and I'm a volunteer with the American Cancer
19 Society Cancer Action Network, or ACSCAN, and
20 I'm the executive director of the Lane Cancer
21 Institute of Boca Raton Regional Hospital which
22 is the largest single hospital cancer institute
23 in Florida. ACSCAN is the not for profit,
24 non-partisan, advocacy affiliate of the
25 American Cancer Society supporting evidence

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1 based policy and legislative solutions designed
2 to eliminate cancer as a major health problem.
3 I appreciate the opportunity this morning to be
4 here today in support of two tobacco control
5 related amendments that were added to our state
6 Constitution through the citizen's intuitive
7 process. Article 10, Section 20 of the Florida
8 Constitution was passed in 2002 by more than 70
9 percent of Florida voters. The amendment
10 prohibits smoking in most indoor places
11 including restaurants. We know that there is
12 no risk free level of exposure to second-hand
13 smoke and breathing even small amounts can be
14 dangerous. There's no evidence and no
15 question -- there is evidence and no question
16 that making most indoor work places free from
17 tobacco -- tobacco smoke has improved public
18 health, but for both workers and patrons.
19 Article 10, Section 27 was passed in 2006 by
20 more than 60 percent of Florida voters. The
21 amendment mandates that the state allocate a
22 portion of tobacco settlement's money for
23 tobacco prevention. The resulting program is
24 administered by the Florida Department of
25 Health. You probably know it as Tobacco Free
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1 Florida. According to the Florida Department
2 of Health the program has saved the state
3 \$3.2 billion in healthcare costs. Annual
4 smoking related healthcare costs in Florida
5 decreased 15 percent from 2006 to 2015 as a
6 result of fewer adults smoking. While the
7 programs made remarkable progress, smoking
8 remains the leading cause of preventable
9 disease and death. 7,400 Floridians continue
10 to begin -- become smokers each year. There's
11 still work to be done.

12 MR. KARLINSKY: Thank you very much, Ms.
13 Mann. We appreciate it.

14 MS. MANN: Thank you for the opportunity.

15 MR. KARLINSKY: Thank you. Mr. Gelo.

16 MR. GELO: Good morning, I'm Gary Gelo.
17 I'm a superintendant of schools for the
18 Dioecies of Palm Beach. We have Catholic
19 schools that serve the area from Boca to Vero,
20 and we have about 6,000 students in our schools
21 and across the state there about 86,000
22 students in Catholic schools. About 15 percent
23 of those are on the Florida Tax Credit
24 Scholarships, McKay, our partner scholarships.
25 Across the nation Florida is known as a leading
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1 state for school choice. The Catholic Church
2 has long held that parents are the primary
3 educators of their children. We believe
4 parents are in the best position to know the
5 unique academic needs of their children and
6 what -- and be able to determine what type of
7 school best serves those needs. The school
8 choice programs such as the Florida Tax Credit
9 and McKay Scholarships are very helpful to the
10 students and the families served.

11 We'd like to suggest the following
12 considerations. With all of this in mind, we'd
13 like to highlight the provisions of the Florida
14 Constitution that could benefit from
15 clarification. First is the Florida's --
16 amendment, in Article 1, Section 3 of the
17 section largely mirrors the U.S. Constitution
18 with its establishment and free exercise
19 clauses. It also contains what is known as no
20 aid clauses indicating that no revenue in the
21 state shall ever dictate -- from the public
22 treasury directly or indirectly in aid of any
23 sectarian institution. Despite a good deal of
24 precedent that upheld participation of
25 religious agencies in state programs, the First
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1 District Court of Appeals ruled that the
2 Opportunity Scholarships which was the
3 predecessor of the Florida Tax Credit
4 Scholarship. It's unconstitutional in part on
5 the basis that it funded sectarian providers.
6 It's hard to imagine if Catholic food pantries,
7 hospitals, or our schools could not participate
8 in programs that provided secular services.

9 MR. KARLINSKY: Thank you very much, Mr.
10 Gelo. Apologies for pronouncing that earlier.
11 Gary Dockswell.

12 MR. DOCKSWELL: Good morning and thank you
13 for giving us this opportunity. We appreciate
14 the interest in the constitutional revision
15 committee -- commission. I'm here with my
16 friend Ron Platt who will speak after me and we
17 are both recently retired and we share an
18 interest in alleviating the suffering of
19 terminally ill patients. And we begun work on
20 an amendment which we call end of life option
21 amendment in previous situations that's been
22 called in other states, death with dignity, a
23 movement. And the tentative ballot language
24 that we're proposing reads as follows: This
25 amendment establishes the right under Florida's

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1 Constitution for qualified terminally ill adult
2 patients with Florida residency and having the
3 capacity to make voluntary, well informed
4 medical decisions to be prescribed an aide in
5 dying medication by their physician if certain
6 conditions are met. What this is not is what
7 people have referred to in and under previous
8 discussions as a death panel or a means of
9 imposing our wishes on someone else. It's
10 really just a way to honor the will of a
11 terminally ill patient who wants the right to
12 end his or her suffering if and when it becomes
13 too much to bear. There's a long history
14 that's really accelerating in it's acceptance.
15 The first death with dignity law was passed in
16 Oregon in 1994. It just barely passed with a
17 51 percent majority. As time went on in Oregon
18 the support has now grown to 80 percent in the
19 most recent poll. Washington State in 2009,
20 Montana in 2009, Vermont in 2013, California
21 and Colorado just last year passed end of life
22 option legislation. The District of Columbia
23 just in February passed their end of life
24 option.

25 MR. KARLINSKY: Thank you very much, Mr.
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1 Dockswell -- and after Mr. Potamic we're going
2 to go to Kathy Jens-Rochow, Beau Heyman, and
3 Carol Stender.

4 MR. PLATT: My name is Ron Platt. I'm
5 also here to speak on end of life options, also
6 called death with dignity. The seven common
7 elements of a death with dignity statute in
8 these other states: You must be a resident of
9 the state here in Florida then, you have to be
10 18 years of age, you have to have a diagnosis
11 from a primary doctor that he or she has an
12 irreversible or incurable disease or illness
13 that will within a reasonable medical certainty
14 result in death of that person within six
15 months, you have to have the capacity to make
16 certain medical decisions that is determined by
17 health professionals, you have to voluntarily
18 request a prescription or an aide in dying
19 drug, the request must be made without
20 interference or the influence of others, you
21 must be able to administer the aide in dying
22 drug on their own without the assistance of
23 others, by eating, drinking or swallowing the
24 drug. The benefits of this in Florida, we have
25 an aging population. By the year 2020 we'll

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1 have 3.8 million over the age of 65. This will
2 reduce prolonged pain and suffering for
3 terminally ill patients and their family. This
4 is not taking a life of another. This has a
5 favorable history in seven states. It would
6 give piece of mind to thousands of terminally
7 ill patients like Britney Maynard in
8 California, by just knowing they have the
9 option, and decision, and power to end their
10 suffering if and when it becomes too unbearable
11 to them, instead of dragging out their pain and
12 suffering. As I mentioned, we're an elderly
13 state. I think this legislation could pass
14 fairly easily. This is the right thing to do
15 to shorten are -- all of our pain and suffering
16 at the end our lives. And why now? Because
17 why wait any longer to give the terminally ill
18 the power to end their suffering when they want
19 to rather than make them prolong their pain and
20 hardship against their wishes as currently
21 exist. Thank you very much.

22 MR. KARLINSKY: Thank you very much. We
23 will go to Mr. Katanic, but I think you're
24 switching spots which is fine with Ms.
25 Jens-Rochow. Go ahead. That's fine. Kathy

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1 Jens-Rochow.

2 MS. JENS-ROCHOW: Thank you. I'm Kathy
3 Jens-Rochow and I represent a national popular
4 vote, Grass Roots Florida, and I'm here to
5 speak to address the electoral college and the
6 need for reform in electoral college. It is
7 obsolete. It does not represent the current
8 popular vote. The current way the electoral
9 college is instructed to vote is winner take
10 all. As we know, most of us know that when
11 you, in this state, in Florida, whoever wins
12 the popular vote in Florida gets all of the
13 electoral votes. This negates many votes and
14 this is not fair and it does not represent the
15 will of the people. The National Popular Vote
16 Interstate Compact would be an interstate
17 compact with numerous states where they all
18 agree to vote for the national popular vote
19 winner. And this would go into effect once
20 there is 270 electoral votes in that total
21 states. As it is not a candidate -- candidate
22 can win the popular vote and still lose the
23 election vote. That's why we need to change
24 the electoral college. But I also believe that
25 this does not need to be a constitutional

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1 amendment. A constitutional amendment would
2 require a long time to fix as well as an
3 interstate compact have to have certain
4 specific language and it has to be uniformed
5 across the states. So if we came up with an
6 amendment that was not the same as other
7 states, it would take longer to fix. But also,
8 if we then decided it was not our best option,
9 it would take longer to repeal that amendment.
10 So I would support rather going with a
11 legislation statute right now in the congress.

12 MR. KARLINSKY: Thank -- thank you very
13 much Ms. Jens-Rochow. Mr. Katan. Eric Katan.

14 AUDIENCE: Mr. Beruff, I guess you don't
15 want to hear that this -- this commission is
16 illegal and that's why they're putting off my
17 -- my presentation.

18 MR. KARLINSKY: Sir, I would --

19 AUDIENCE: I was here the number five
20 person in line. We were told that there was a
21 certain -- taken in that order.

22 MR. KARLINSKY: Sir, if you could have a
23 seat. You're not being respectful to the rest
24 of the group here -- anything. Okay, thank
25 you, sir. Mr. Katanic, good morning.

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1 MR. KATANIC: Good morning. My name is
2 Aaron Katanic and I'm a student at Palm Beach
3 Atlantic University and U.S. Army Veteran. To
4 conserve time, I've written an essay outlining
5 my position for you to review. I would simply
6 like to say that the question of when life
7 begins is not an esoteric question to which
8 there is no answer. Science, reason, and the
9 human conscience are all sufficient to tell us
10 that human life begins at conception which
11 therefore means that the unborn deserves full
12 protection and the right to life under the law
13 and by virtue of the intrinsic infinite human
14 worth which is common to us all. Please craft
15 an amendment to the state Constitution that
16 guarantees the right to life to the unborn of
17 all ages. Thank you.

18 MR. KARLINSKY: Next is Beau Heyman.
19 After Ms. Stender we're going to call up Geoff
20 Kashdan, Arlene Ustin, and Patty Whitehill.

21 MR. HEYMAN: Good morning commissioners.
22 My name is Beau Heyman. I am here as an
23 abortion citizen -- shoot, did I say abortion
24 citizen, cause I meant to say private citizen.
25 I don't know if you guys ever do that where you
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1 thinking one word and you say another. Like
2 the other day I went into my office and I said,
3 I just need some abortion, and then my
4 assistant was like, don't you mean privacy? I
5 guess the Supreme Court of Florida also has
6 that problem because there was a very clear
7 clause, right? The people who have gone before
8 me have already covered this in great length.
9 Article 1, Section 23 of Florida's Constitution
10 was discussed in the 1978 CRC just like this.
11 Pass that of legislation, in 1980 adopted by
12 Florida voters with a clear understanding it
13 was addressing only informational privacy, but
14 here we are and we're pretending that it talks
15 about abortion. Well, abortion and privacy are
16 not the same thing, as I just illustrated. One
17 of my college professors when I was an
18 undergraduate asked: Do words have inherent
19 meaning? All right. And the answer was, of
20 course they do, unless you're a lawyer.
21 Because I think all of us know what privacy
22 means and I think all of us know what abortion
23 means. And so what you find is when
24 politicians can't get something past, they go
25 to the courts. And when the courts can't find

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1 a reasonable argument for it, they just make it
2 up. That's why this CRC is important. That's
3 why this review is important. So here's my
4 recommendation. The CRC needs to fix the
5 privacy amendment by restoring it to it's
6 original purpose of informational privacy. In
7 other words, I don't want the government spying
8 on me. Is that too much to ask? Thank you,
9 commissioners.

10 MR. KARLINSKY: Thank you. Ms. Stender.
11 And remind the speakers to just repeat their
12 name when they come up.

13 MS. STENDER: Good morning, commissioners.
14 My name is Carol Stender. Thank you for this
15 opportunity for us to share our views. I
16 understand that one of the issues the CRC --

17 MR. KARLINSKY: Closer.

18 MS. STENDER: I understand that one of the
19 issues the CRC might address is that of fair
20 districts. I do not agree that we need a
21 constitutional -- revision to change or repeal
22 the fair district provisions accrued by the
23 voters. I feel the current districts are fair.

24 As a voting citizen, I am not in favor of
25 constantly redrawing district lines. Over the

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1 past few years voters have repeatedly witnessed
2 their legislator failing to act in good faith
3 as they went to great lengths to maintain
4 gerrymandered district lines. There is a
5 dearth of voter confidence in the political
6 system of late and an attempt once again to
7 tamper with district lines certainly does not
8 help boost voter confidence. Rather than slip
9 back into the quagmire and pettiness of the
10 issue of redrawing district lines, it seems to
11 me that the CRC's time would be much better
12 spent on amendments that would move our state
13 forward. Forward in our quest to clean up
14 waterways, forward in our desire to preserve
15 the Everglades, forward in freeing up the
16 economy from the road blocks that currently
17 strangled technology that other states enjoy,
18 forward in ensuring the electorates ability to
19 vote, and forward in ensuring quality
20 healthcare for our citizens. Thank you.

21 MR. KARLINSKY: Thank you. Mr. Kashdan.
22 Did I pronounce that correct?

23 MR. KASHDAN: I'm sorry?

24 MR. KARLINSKY: Mr. Kashdan.

25 MR. KASHDAN: Kashdan. Geoff Kashdan.

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1 Article 1 of the Florida Constitution, the
2 Declaration of Rights, addresses the basic
3 rights of Floridians. Among those rights is
4 the right to bear arms for the purpose of
5 personal protection. The very next clause
6 states: Except that the manner of bearing arms
7 may be regulated by law. The keyword in that
8 statement of exception is regulation. The
9 Constitution and then it goes on to list some
10 of the regulations. None of those regulations
11 would prevent shooting of and by children and
12 teens. The rationale given in -- in the -- for
13 the Florida Constitution for the protection of
14 gun arm ship is self defense. However,
15 children and teens are too often the victims of
16 gun violence, and the issue of self-defense for
17 them is irrelevant. Consider that more
18 pre-school children were killed by guns than
19 police officers in the year 2007 according the
20 Children's Defense Fund. It has been noted
21 that an American has a greater chance to be
22 shot by a toddler than by a terrorist. These
23 statical realties are shocking and unacceptable
24 and totally unrelated to self-protection. We
25 the adults of Florida must take on the

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1 responsibility of protecting our children. The
2 regulations already existing in the Florida
3 constitution are minimal and have proven to be
4 inadequate to protect our most venerable
5 Floridians. I ask that the constitutional
6 revision process not be used as a way to weaken
7 even those constitution divided gun
8 regulations. Thank you.

9 MR. KARLINSKY: Thank you. Ms. Ustin.
10 Right after Ms. Ustin and Ms. Whitehill, we'll
11 have Stephen Jens-Rochow, Pam Harting, and Jack
12 Oliver.

13 MS. USTIN: Good morning. Thank you for
14 holding this hearing. My name is Arlene Ustin
15 and I am the president of the Palm Beach County
16 chapter of the National Organization for Women
17 which has a membership of more than 400 and I
18 am speaking on their behalf. Our concerns do
19 intersect many issues, but first I'd like to
20 ask that you please work in the sunshine of our
21 great state. Allow the public to know your
22 precesses, your guidelines, and suggested
23 provisions in a respectable timeframe so that
24 you may receive and consider our input.

25 I'd like to say that we would want now,
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1 Palm Beach County, preserve Florida's
2 constitutional right to privacy as it stands
3 now in Section 23. The right to privacy needs
4 to extend to every citizen. A pressing example
5 of the abuse is in healthcare. Decisions about
6 one's health to every man, woman, and child
7 needs to be made in the privacy of home with
8 family and doctors without government
9 intrusion.

10 Please do not abridge the civil rights of
11 any group, this pertains to Article 1.
12 Discrimination against the LBGTQIA, plus
13 religious, or racial, or minority communities
14 violate -- violates a fundamental democratic
15 value of our United States. It is also bad for
16 business. Company's do not come to a state
17 that discriminates. They chose not to in North
18 Carolina.

19 Four, please restore full -- citizenship
20 rights to non-violent felons, excluding murders
21 and sexual predators. I mean, I know you heard
22 some of the -- already, there is 1.68 million
23 persons in this category that live in Florida.
24 I think we're the worst in the country.

25 MR. KARLINSKY: Thank you very much, Ms.
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1 Ustin. I appreciate it. Ms. Whitehill.

2 AUDIENCE: Can you turn up the microphone
3 we can't hear the speakers?

4 MS. WHITEHILL: Can you hear me?

5 AUDIENCE: I can hear you, but I want to
6 hear what they have to say, if you don't mind.

7 MS. WHITEHILL: Hi, I'm Patty Whitehill.
8 I'm a Montessori teacher in an international
9 baccalaureate middle school teacher. I
10 recently moved here, well seven years ago, from
11 Dallas, Texas. In North Central Texas air and
12 oil is a huge issue. I don't know if you guys
13 know, but in many places of the country we have
14 ozone days where we have the kids can't play
15 outside. One of our heaviest oil producers,
16 Tebone Pickins, actually started a huge wind
17 farm out in West Texas. Those have been very
18 successful and made lots of money. Another --
19 issue I wanted to mention was millennial's are
20 totally divesting from petroleum products and
21 they seem to be much more interested in
22 collecting experiences and not collecting
23 things. All of this kind of comes to Florida.
24 We have so many experiences we can list here
25 and I'm very concerned about our water supply

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1 and the rising seas that are coming in. I'm
2 worried about fracking and I was just -- my
3 main focus here is to encourage you guys to
4 accept what the citizens voted on for our solar
5 energy and please do whatever you can to
6 support that. It makes crazy sense that we
7 would move to Florida and we cannot put solar
8 panels on our -- wherever we can. Thank you so
9 much. I'm delighted that you all didn't
10 rewrite your Constitution every 20 years. I
11 think that's very awesome and thank you for
12 letting me speak.

13 MR. KARLINSKY: Thank you very much.
14 Stephen Jens-Rochow.

15 MR. ALLEN: Oh, you missed Commissioner --
16 my name is Jeff Allen (phonetic) and since I'm
17 here, I'll just speak briefly.

18 MR. KARLINSKY: Sir, there's an order.

19 MR. ALLEN: I got here pretty late, so --

20 MR. KARLINSKY: Well, go ahead and fill
21 out a card and we'll call you in your order.

22 MR. ALLEN: Yeah, I filled out a card. Oh
23 gosh.

24 MR. KARLINSKY: Thank you very much.
25 Stephen Jens-Rochow.

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1 MR. ALLEN: Could you just give me a
2 quick -- my topic is quick --

3 MR. KARLINSKY: That wouldn't be
4 appropriate to anyone else here. Thank you,
5 sir. Stephen Jens-Rochow. Thank you very
6 much. Feel free to fill out a card and we'll
7 call you in order.

8 MR. ALLEN: I did.

9 MR. KARLINSKY: Thank you, sir.

10 MR. JENS-ROCHOW: I'm Stephen Jens-Rochow
11 and I'm a board member of a faith based
12 advocacy justice group -- Universal Justice of
13 Florida and I'm here to speak about restoration
14 of civil rights and voting rights after someone
15 has left prison. A felon has served their term
16 and they have paid their debt to society. They
17 have done their time and to have their voting
18 rights denied them when they have done their
19 time, to me is just unconscionable. It is
20 almost like having a cruel and unusual
21 punishment and so I urge you to do away with
22 our -- this current situation and to fully
23 restore civil rights and voting right to felons
24 when they leave prison.

25 MR. KARLINSKY: Thank you. After Mr.
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1 Oliver and Paula, Mr. Zumbuker, Edward
2 Tedfmann, and I apologize I can't read the
3 writing on that, and then Deborah Cusick. Ms.
4 Harting, welcome.

5 MS. HARTING: My name is Pam Harting. I
6 live in Fort Pierce, Florida. Thank you for
7 the opportunity to speak to you today. My
8 comments fall in three areas.

9 First what the current Constitution
10 reflects, the types of proposals should be
11 considered, and what the commission -- how the
12 commission rules itself. First with respect to
13 the current Constitution, the Florida voters
14 have always placed a high value on protecting
15 our natural resources and the Constitution
16 reflects this. In the interest of time, I will
17 not quote from the Constitution, but I will say
18 that voters have approved numerous amendments,
19 at least eight to our Constitution relating to
20 conservation and clean energy. In Florida our
21 natural resources are both our most critical
22 economic engine and a key to the way of -- to
23 our way of life. With respect to proposals to
24 consider, the commission should propose an
25 amendment that would eliminate corporate money

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1 from political process, so that Florida voters
2 needs are not overwritten by corporate raises.
3 The commission should also develop proposals
4 that acquire and restore ecologically sensitive
5 lands in order to protect our drinking water,
6 the quality of our waterways, our wild life,
7 and then create recreational opportunities.
8 They should -- develop proposals that increase
9 protections for our springs, rivers, lakes and
10 streams and should develop proposals that move
11 our state forward in an affordable resilient
12 energy system that relies on clean energy
13 sources like solar. With respect to the
14 commissions rules, proposals need to be made
15 public and fair review time and a clear process
16 for public input needs to be developed. This
17 process should include opportunities for the
18 public comment, both in person and
19 electronically, and at least 30 days notice
20 should be provided for all meetings and
21 comments, and there should be a clear and open
22 record of all commission meetings and records.
23 No off the record meetings between members, not
24 even two members. I appreciate that your rules
25 forbid members from taking anything of value

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1 from someone lobbying an issue. The rules
2 should also forbid the influence through
3 campaign contributions to members of the
4 commission.

5 MR. KARLINSKY: Thank you very, Ms.
6 Harting. We appreciate it. Mr. Oliver.

7 MR. OLIVER: Yes my name is Jack Oliver.
8 I'm the legislative director for Floridians for
9 Immigrations Enforcement and the founder and
10 president of Floridians for E-Verify Now. I
11 have a question for you commissioners: Is
12 there any commissioner here that supports the
13 hiring of an illegal alien over a citizen,
14 please raise your hand? I don't see any hands,
15 so I guess we have a lot of support for our
16 amendment. And you are in agreement with the
17 overwhelming majority of American citizens.
18 E-verify is a federally based internet system.
19 It's currently the best means available for
20 employers to electronically verify the
21 employment eligibility of their newly hired
22 employees and it helps U.S. employers maintain
23 the legal labor force. Illegal immigration
24 negatively affects most Florida citizens.
25 Knowingly hiring illegal aliens is against the

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1 law and robs Florida citizens and legal
2 immigrants of job opportunities and depresses
3 the wages of legal workers. Providing
4 education, medical care, and other public
5 services to illegal alien population costs
6 Florida's tax payers \$5.4 billion a year. In
7 the governor's race in 2010, candidate Rick
8 Scott declared: We have over 700,000 illegal
9 in this state. They're costing us billions of
10 dollars and they're taking legal resident's
11 jobs. I agree with Governor Scott. So what's
12 being done at the state legislature?

13 Absolutely nothing. The state legislature has
14 blocked 30 immigration enforcement bills meant
15 to protect the citizens of Florida since 2008.
16 Tallahassee politicians on both sides of the
17 aisle refuse to do the right thing. They
18 refuse to make any effort to stop illegal
19 immigration. So we call upon this commission
20 to do the right thing. Give Floridians the
21 right to vote on this issue by placing our
22 proposed e-verify amendment on the 2018 ballot.

23 MR. KARLINSKY: Thank you, sir. Welcome
24 to the commission.

25 MS. BUCHER: Good morning my name is Susan
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1 Bucher and I'm the Palm Beach County's
2 supervisor of elections for the third largest
3 county in this state. We are the third largest
4 state in the nation, yet we have some of the
5 most egregious laws when it comes to
6 restoration of civil rights. I on regular
7 basis go out and register voters.
8 Unfortunately, 1 in every 10 Floridians or more
9 than 1.7 million individuals in the state of
10 Florida have no civil rights. I believe
11 strongly that this commission should consider,
12 and you heard before, that we restore the
13 citizen's rights because they are currently
14 being productive citizens, taxing without
15 representation. There was a 2011 senate study
16 that indicated that if an individual receives
17 their rights back recidivism or repeat offenses
18 decreased to 11 percent versus 33 percent when
19 they are not a productive member of our
20 community. I'm also here today to ask you not
21 to mess with these citizen petition
22 initiatives. There are many in this audience
23 including myself who worked hard to gather the
24 signatures and to encourage the voters to
25 participate. Your job is not to unravel, your

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1 job is to make our state better. So I really
2 would like you to stand up for the -- all the
3 citizens in the State of Florida and restore
4 their rights. Right now people will die that
5 have applications into the commission prior to
6 having their rights restored. I think it's an
7 injustice. We're the third largest state in
8 the nation and we need to be responsive to our
9 citizens and allow them to have their civil
10 rights and be productive members of our state.
11 Thank you.

12 MR. TEDFMANN: My name is Edward Tedfmann
13 and I have two issues to report. The first one
14 is, in agreement with Ms. Bucher that not only
15 does this prevent them from having voting
16 rights, but it also creates situations where
17 these people can never become employed. I have
18 a next door neighbor who has a daughter who
19 committed a felony in her early 20's and he's
20 been supporting her ever since then and --
21 because of it of a drug -- drug felony. And I
22 see this -- as being a very harmful thing
23 because these people can't -- can't -- can't
24 provide themselves and this -- this should be
25 strongly changed.

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1 The other issue is that we -- the only way
2 to have a valid Constitution that can be
3 written and revised is by the people or the
4 delegates selected by the people for that
5 purpose. We have one -- one delegate here who
6 is in fact a legislator. The legislator who
7 the persons that are supposed to be sitting in
8 your place. Article 1, Section 1 of the
9 Constitution in the State of Florida says:
10 Political power is inherent in the people. All
11 political power. Article 1, Section 5 says:
12 That the people have the right to peaceably
13 assemble and to instruct their representatives
14 and petition for the redress of grievances. It
15 doesn't include realtors, developers, et
16 cetera. We the people hereby declare Florida
17 Constitution Revision Commission is unlawful,
18 lacks any authority from we the people, and is
19 impersonating public servants. Article 1,
20 Section 1 makes it clear that all political
21 powers inherent in the people and only the
22 people can choose delegates to make or revise
23 the Constitution, then and only then can the
24 revision process take place. Is that right,
25 Ms. Bondi? A number lawyers here. You should

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1 have a copy of the Constitution of the State of
2 Florida on your desk. The fact that each of
3 you on the revision commission are acting
4 outside the delegated authority of the people
5 makes you impersonating a public servant or
6 acting in the color of law.

7 MR. KARLINSKY: Thank you very much, Mr.
8 Tedfmann. We appreciate your time.

9 MR. TEDEFMANN: -- your the -- you're a
10 governor or the state legislature --

11 MR. KARLINSKY: Excuse me, sir.

12 MR. TEDEFMANN: -- delegating authority --
13 to appoint you to unlawful entries in the
14 commission.

15 MR. KARLINSKY: Thank you very much for
16 your time. Ms. Cusick. After Ms. Cusick,
17 we're going to go to Tom Campenwi, George
18 MacArthur, and Vinny Barile.

19 MS. CUSICK: Thank you and thank you to
20 all of you serving here. We appreciate this
21 opportunity. I represent Women Impacting the
22 Nation, as well as Inner Varsity Christian
23 Fellowship here at FAU. I'm concerned about
24 Article 1, Section 23 and the historical
25 legislative record does not demonstrate any of

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1 it and -- the amendment was intended to grant a
2 right to abortion to our minors without a
3 parental or judicial consent. And as a former
4 high school teacher as well as heading Inner
5 Varsity Christian Fellowship in a volunteer
6 capacity for 14 years on campus, I'm sure that
7 some of you, if your daughters had come to me,
8 I've mentored thousands of students have come
9 to me, your daughter or your granddaughter
10 considering an abortion, then you as family
11 unit, but the right of the family should be
12 considered here. That you would have wanted to
13 know that your daughter was considering that,
14 you know, and I'm not allowed to tell. So I've
15 counseled many who have had abortions or
16 considering. We saved two babies here in
17 campus and I'm happy to say that. But I'm
18 sure, again, as a family unit this is something
19 you know, the privacy rights of the minors are
20 not the only rights involved. It must be
21 balanced against the rights of -- of the family
22 structure as well as against the rights of the
23 parents to make decisions for their immature
24 minors. So I in -- I'd really request that you
25 bring Article 1 Section 23 back to it's

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1 original intent. Thank you.

2 MR. KARLINSKY: Thank you, Ms. Cusick.
3 Tom Campenwi.

4 MR. CAMPENWI: Mr. Chairman,
5 commissioners, my name is Tom Campenwi and I am
6 the Mayor of Stewart, Florida. I am also the
7 vice president of the League of Treasure Coast
8 Cities and a board member of the Florida League
9 of Cities. I currently am the chair of the
10 Treasure Coast counsel of local government. I
11 come here today to talk to you as an -- local
12 elected official to speak about the importance
13 of local government and the erosion of local
14 control through the use of preemption by the
15 legislature. Our current Constitution
16 enshrines the doctrine of home rule. By the
17 legislature's use of preemption, that right is
18 increasingly being taken away from counties and
19 cities. The reason that home rule exists is
20 because government should reflect the will of
21 the people. The purpose of local government is
22 to allow the citizens to live in communities
23 that express their will. Municipalities
24 provide those levels of services that citizens
25 want, desire, and have -- and our willing to

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1 pay for. We elected officials past ordinances
2 that reflect the values of the people that
3 reside within our cities. There are many
4 things that the state needs to do to protect
5 our citizens, such as licensing of attorneys
6 and doctors. That makes sense that there are
7 statewide standards, but where the physical
8 offices of those -- doctors and lawyers are
9 should be decided by local zoning. Where is
10 the state's interest in regulating short term
11 rentals? Why should the legislature dictate to
12 my city whether that you should be allowed or
13 not? What has happened in the past decade is
14 the legislature has developed a mindset that
15 they know best. Well, this is far from the
16 truth. There are a 160 legislatures. There
17 are thousands of local elected officials
18 throughout the state. I urge this commission
19 to strengthen home rule and restore the rights
20 to local government to what the 1968
21 Constitution and try. Thank you.

22 MR. KARLINSKY: Mr. MacArther.

23 MR. MACARTHUR: Good evening -- good
24 morning. Yesterday was good evening. Thank
25 you for having me.

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1 AUDIENCE: Louder.

2 MR. MACARTHUR: Thank you for having me.
3 Better? I would -- I'm a retired school
4 teacher. I taught health. I'd like to talk to
5 you about the legalization of marijuana. I've
6 never advocated the use of drugs of any kind.
7 I certainly don't advocate the use of
8 marijuana, but we have a problem with that.
9 I'm also very skeptical about the health
10 benefits of it, but the truth of the matter is
11 we have waged a war on drug -- drugs for almost
12 40 years and we really haven't won that war.
13 It's time to make peace with the fact the
14 people are going to use marijuana and other
15 drugs, in particular marijuana. Right now the
16 state of Colorado just through medical
17 marijuana is taking in \$1.5 billion. We are
18 four times that size. We could potentially be
19 taking in \$6 billion in revenue from the
20 legalization of marijuana. Now, that doesn't
21 count the fact that the police have to go
22 through tracking, arresting, processing, court
23 costs, jail costs at \$20,000 a year per
24 prisoner that we are -- have to do to take care
25 of people that are using marijuana and other

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1 drugs, particularly on a local level. It's
2 very taxing for the police departments. It
3 does also it doesn't have the amount of money
4 that's being made by the growers. You know,
5 our -- our citrus industries are in trouble
6 right now, but you know what? You can make up
7 that big time. 6 billion -- \$6 billion a year
8 could pay for a lot of problems that we have in
9 healthcare or any of the other issues that we
10 have. I just want to say too, if you look at
11 the flip side of that, if we can get the state
12 could make 6 billion or 8 billion, that's just
13 a -- on medical marijuana.

14 MR. KARLINSKY: Thank you very much, Mr.
15 MacArther. Appreciate it. Mr. Barile.

16 MR. MACARTHUR: Let me finish up in one
17 second. If you take the flip side of that,
18 somebody's making \$6 billion, \$12 billion,
19 \$20 billion on a marijuana right now and that
20 is going to illegal and illicit use --

21 MR. KARLINSKY: Thank you very much. Mr.
22 Barile.

23 MR. MACARTHUR: Just one --

24 MR. KARLINSKY: Thank you. Thank you.

25 MR. MACARTHUR: Thank you very much.

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1 MR. BARILE: Good morning commissioners.
2 My name is Vinny Barile. I'm a commissioner of
3 the town of Silver Spring. Actually, I'm here
4 to support Article 8 of the Constitution. To
5 try and -- Article 8 of the Constitution which
6 allows home rule or local control of local
7 governments. We know what we need to do
8 locally. That's how we control everything in
9 our towns. We don't need anybody up in
10 Tallahassee telling us what to do with our
11 residents or how to deal with them. So I am
12 definitely in support of Article 8. Please
13 keep it in the Constitution. I thank you very
14 much --

15 MR. KARLINSKY: Thank you very much. We
16 are going to take a five minute break and so
17 we're going to start up again at 10:26. When
18 we do it will be Garrin Hirschhorn, Kimberly
19 Spire-Oh, and Sharon Bock.

20 (Thereupon there was a brief
21 recess and the proceedings
22 continued as follows:)

23 MS. KEISER: Ladies and gentlemen, we're
24 going to get started. Welcome back. Thank
25 you, ladies and gentlemen. As we have

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1 conducted ourselves this morning, we're going
2 to ask the first three to approach the podium
3 and in this order, but please state your full
4 name and as a reminder you have two minutes.
5 So we have Mr. Hirschhorn, Kimberley Spire-Oh,
6 and Sharon Bach. Welcome.

7 MR. HIRSCHHORN: Thank you for having me.
8 My name is Garrin Hirschhorn. I am here
9 representing Florida Action Network. I would
10 like to talk about Article 1, Section 23.
11 These are personal medical procedures that have
12 been on the books, deemed safe and have been
13 performed safely for decades. There are
14 absolutely no religious reasons for taking away
15 someone's medical rights. Now, if you are
16 truly pro-life, you will give money for birth
17 control for both men and women and abortion
18 rates will plummet. This has been proven --
19 this has been proven in the State of Colorado
20 with the Buffet Initiative. Prevention is key,
21 I think both sides of the aisle can agree on
22 that. I hope. A true pro-life stance means
23 caring for the lives that are already here.
24 That said, I would like to see funding for
25 children already in foster care and orphanages.

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1 I would like to also add that there are no laws
2 whatsoever that regulates sperm or male
3 reproductive choices or procedures. None
4 whatsoever. A man can get a vasectomy and they
5 are not regulated in any way. Neither is any
6 other medical procedure. Medical procedure.
7 DNCs are medically safe procedures that have
8 been performed safely for decades agreed upon
9 by women and their doctors for personal,
10 personal, and medical reasons that are strictly
11 between women and their doctors, period.
12 Government has no place in a woman's right to
13 choose.

14 I have 24 -- 24 seconds left and I would
15 to switch topics. I would like to propose that
16 political action committee's are made illegal
17 in the State of Florida. Senator Mark Rubio
18 accepted \$100,000 from the Divoce (phonetic)
19 family and -- for her confirmation. He also
20 accepted more than \$75,000 in donations from
21 internet service providers to repeal internet
22 privacy protections. Make PAT's illegal.

23 MS. KEISER: Thank you very much, Mr.
24 Hirschhorn.

25 MS. SPIRE-OH: Good morning. My name is
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1 Kimberley Spire-Oh -- I'm sorry -- and I am a
2 special education attorney who represents
3 students with disabilities and their families
4 across the State of Florida. I serve on a
5 number of different committee's and boards
6 locally, across the state, and nationally
7 involving education and individuals with
8 disabilities and I am here to talk to you about
9 Article 9 of the Florida Constitution, public
10 education. Florida as someone stated earlier
11 is to be looked at as a leader in the
12 privatization of public education. Our current
13 Constitution states: The education of children
14 is a fundamental value of the people of the
15 State of Florida. It is therefore a paramount
16 duty of the state to make adequate provisions
17 for the education of all children residing
18 within it's borders. Adequate provisions shall
19 be made in law -- uniform, efficient, safe,
20 secure, and high quality system of free public
21 schools. The privatization and giving school
22 choice can be a very good thing, but we have a
23 responsibility to do it responsibly and ensure
24 that there is transparency and ensure that
25 there are protections within the systems that

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1 we decide to implement as far as privatizing
2 our schools. Students with disabilities, I
3 could fill this entire room or even that entire
4 stadium behind us with a number of students
5 with disabilities who wanted to access the
6 choice options that are available in Florida
7 and were denied that opportunity because
8 there's no requirement that the privates
9 schools that accept vouchers accepts students
10 with disabilities. There's no requirement that
11 their needs are met within those schools. Even
12 the charter schools a lot of times do not
13 accept students with disabilities and meet
14 their needs, even though our tax payer funds
15 are going to those schools. We need to put in
16 protections and ensure that the students are
17 taken care of. I'm not sure if I --

18 MR. KARLINSKY: Thank you.

19 MS. SPIRE-OH: Thank you.

20 MS. BOCK: Good morning. I'm Sharon Bock,
21 an attorney in the constitutionally elected
22 clerk and controller for Palm Beach County.
23 Welcome to Palm Beach County all of you. Thank
24 you for being here. Article 8, Section 1 of
25 the Florida Constitution provides that there

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1 shall be an elected sheriff, tax collector,
2 property appraiser, supervisor of elections,
3 and clerk of the circuit court. Florida's
4 clerk and controllers are independently elected
5 because over -- because our distinct duties
6 provide a system of checks and balances which
7 ensure transparency, access, and accountability
8 in local government. Unlike the state whose
9 citizens are protected by the three separate
10 branches of government, that protection does
11 not exist at the local level. In fact, both
12 the legislative and executive powers rest with
13 the same body, that is the board of county
14 commissioners. The framers of our Florida
15 Constitution knew all too well the falling of a
16 concentration of power and to address this the
17 constitutional offices were established. As
18 per controller, I perform over 1,000 different
19 duties unique to this office. All
20 constitutional officers do. We ask through
21 your deliberations that you preserve these
22 constitutional positions. The county citizens
23 entrust us to keep the integrity of our local
24 government. Thank you for being here and for
25 the very important work that you are doing this

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1 year. Thank you very much.

2 MS. KEISER: Next speakers please
3 approach, Karen Wilkenson, Dr. Ethelene Jones,
4 and Nancy Cohen. Would you please state your
5 name? Thank you.

6 MS. WILKENSON: I'm Karen Wilkenson from
7 West Palm Beach.

8 AUDIENCE: Oh, louder.

9 MS. WILKENSON: I'm Karen Wilkinson from
10 North Palm Beach and as president of the League
11 of Women Voters of Palm Beach County, I am
12 speaking on their behalf. 20 year revision of
13 the state Constitution it is an important
14 occasion, therefore we strongly feel as the
15 commission should abide by the Florida sunshine
16 laws. The propers of this important review
17 must be transparent, open to the public to
18 reflect the public views, otherwise I am feared
19 that it's work will not be accepted at poll
20 booth. This present round of hearings did not
21 permit most legislators to participate. Short
22 notice and selection of days and times did not
23 make it possible for many people from the
24 private sector to come. It will be necessary
25 for you to have another full round of hearings

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1 when you have identified issues that you are
2 considering for proposals. At that time people
3 can testify about the particular issues. In
4 addition, after that round of hearings, the
5 wording of the amendment should be reviewed by
6 the supreme court as is required by the
7 legislative proposals instead of seeing
8 petitions generated proposals. This is to
9 ensure that the voters have clear wording when
10 making decision on their votes. We believe
11 this commission's job is to review the present
12 constitution and see if it needs updating or
13 correction. This should not be an attempt to
14 corrupt the separation of powers or reign in a
15 new judiciary branch. Each segment of
16 government has its role. Disruption will lead
17 to political gains and injustices to the people
18 of Florida. Does the commission intend to have
19 another round of hearings after you have
20 identified issues?

21 MS. KEISER: Thank you.

22 MS. JONES: Good morning I'm Dr. Ethelene
23 Jones and I'm speaking as a private citizen. I
24 want to address the issue of the electoral
25 college. The United States Constitution

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1 permits each state legislature to determine how
2 its electors are selected and how they will
3 vote. And I would like to propose that this
4 group consider a constitutional amendment that
5 will direct our legislature to have electors
6 commit to cast their votes for the person who
7 wins the national popular vote to restore to us
8 the one man or woman one vote principle that is
9 fundamental to our democracy. At present -- at
10 present ten states in the District of Columbia
11 have signed on to the National Popular Vote
12 Interstate Compact which you heard about
13 previously. A state that sole signs on does
14 nothing until we have a total number of states
15 representing 270 electoral votes. At the
16 presidential election in which the compact has
17 that many votes, their electors will be
18 committed to vote for the person who won the
19 national popular vote so that even persons like
20 myself who belong to a party that's minority in
21 a state that has a majority, my vote will be
22 reflected along with the votes of all the
23 citizens of the nation when we elect a
24 president who represents all of us and not a
25 single party. Thank you.

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1 MS. COHEN: Good morning, I'm Nancy Cohen.
2 The electoral college was born on the Faustian
3 bargain --

4 MS. KEISER: Excuse me, ladies and
5 gentlemen, so we can hear the speaker, please.
6 Thank you.

7 MS. COHEN: I'll start again. The
8 electoral college was born of the Faustian
9 bargain our forefathers made with slave states
10 an small states. We've abolished slavery,
11 let's restore allegiance to a core principle of
12 our democracy, one person, one vote. Your
13 Florida vote is worth less than a third of a
14 vote of the smallest states. Florida is no
15 longer a small state. Let's empower Florida
16 and pass the National Popular Vote Interstate
17 Compact. Thank you.

18 MS. KEISER: Will the next three speakers
19 please approach the podium in the following
20 order: Joyce Sullivan, Mark Schneider, and Jay
21 Gartman. Thank you. And please state your
22 full name. Thank you.

23 MS. SULLIVAN: My name is Joyce Sullivan
24 and I'm a private resident and I'm a senior
25 citizen, and I want to talk to you all about
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1 healthcare. I'm concerned about healthcare.
2 The president is stating if not requiring
3 insurance companies -- pardon me -- to cover
4 maternity care and mental health. Here in
5 Florida as everybody here knows, we're
6 experiencing an opiate epidemic. In our recent
7 county report it emphasized a need for mental
8 health coverage to curtail the abuse of
9 opiates. I can tell you my daughter is a
10 mental health therapist. I know she could use
11 more business because I'm telling you there's
12 so many people left behind, and that's the
13 truth. Washington is also considering the
14 increase of healthcare cost to seniors. The
15 whole premise of insurance is that the bigger
16 the pool, the lesser the risk. Everyone should
17 be secure in knowing that they have health
18 coverage. Please consider amending the Florida
19 Constitution to state that all residents shall
20 have access to healthcare. The Constitution
21 already provides the guarantee of public
22 education. The same standard should be
23 expanded to healthcare. Thank you very much.

24 MR. SCHNEIDER: My name is Mark Schneider.
25 I'm the president of the ACLU of Palm Beach
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1 County representing its 3,000 members. Members
2 of the commission --

3 MR. BERUFF: Excuse me.

4 MR. SCHNEIDER: -- Florida --

5 MS. KEISER: Yes, Mr. Chairman.

6 MR. BERUFF: Thank you. We respect
7 everybody's clapping, but that's inefficient to
8 the amount of time we want to dedicate to the
9 speaker. So if you want to support someone,
10 maybe you can do this, okay, but we'd like the
11 jeering and the clapping to tone down. Thank
12 you so much.

13 MR. SCHNEIDER: Could we start my time
14 over?

15 MR. BERUFF: Yes, you can start from brand
16 new, absolutely. Thank you.

17 MS. KEISER: Thank you, Mr. Chairman.

18 MR. SCHNEIDER: Members of the commission,
19 Florida is one of four states that
20 disenfranchises citizens convicted of a felony
21 for life with a consequence that 1 in 10
22 citizens of voting age is barred from the polls
23 in our state. Former felons in Florida may be
24 given back their right to vote by the clemency
25 board. Prior to 2011 this was a common

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1 occurrence with an average of 12,600 former
2 felons enfranchised yearly. The Scott
3 administration, however, made the clemency
4 process so restrictive that from 2011 forward
5 the average has been fewer than 450 per year.
6 The clemency board now has more than 10,000
7 applications pending for a hearing, and since
8 it hears barely 200 a year, it has no prospect
9 of ever clearing this backlog. You should find
10 this unconscionable. Further, a recent lawsuit
11 reveals that the clemency board is very
12 arbitrary in granting or denying applicants.
13 Some of are denied for having traffic tickets,
14 for instance, while others with similar tickets
15 are accepted. For many, a hearing before the
16 board is a humiliating experience. You should
17 find this unconscionable also. Both Article 6,
18 Section 4 and Article 4, Section -- 8(a) of our
19 Constitution -- of the Jim Crow era must be
20 changed to restore rights to felons upon
21 completion of the terms of their sentence.
22 Language to accomplish this is being reviewed
23 by the Florida Supreme Court as we speak.
24 There's no other way to deal appropriately with
25 this stain upon Florida's democracy. Please

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1 restore the vote.

2 On a procedural issue, let me say that I
3 believe it is inappropriate to begin these
4 meetings with a sectarian prayer.

5 AUDIENCE: Thank you.

6 MR. GARTMAN: My name is Jay Garman. I'm
7 a resident of Boynton Beach. The State of
8 Florida has more than 2.7 million residents,
9 that's almost 13 percent of our state's
10 population, residing in communities that are
11 governed by homeowner's association's bylaws.
12 These bylaws cover hundreds of guidelines and
13 restrictions to ensure that all residents
14 conduct themselves in a manner that maintains
15 property values and neighborly relationships.
16 Unfortunately freedom of speech restrictions
17 contained in most HOA bylaws conflict with
18 valuable civil liberties that are guaranteed in
19 both the U.S. and Florida Constitutions. Most
20 important is the right to free speech,
21 including placement of political signs on an
22 HOA member property such as lawns or within
23 their home windows. As a general rule HOAs
24 have the right to restrict signage of all types
25 since the associations are not considered,

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1 quote, government entities and they are not
2 conducting state action. So unfortunate of
3 sign restrictions does not allow -- does not
4 violate free speech rights according to the
5 Quail Creek Homeowner's Association of Naples
6 versus Hunter that was decided in 1989. To
7 remedy this problem I respectfully request that
8 the CRC consider the following choices: One,
9 is revise the Florida Constitution Article 1,
10 Section 4 to hold HOAs responsible for
11 observing citizen freedoms as government quasi
12 entities, or urge the Florida Supreme Court to
13 solicit appropriate cases for judicial review
14 to expand existing Florida constitutional
15 protections covered by Article 1, Section 4 as
16 many states have done so and expanded and
17 brought about the results that we have talked
18 about. Thank you kindly.

19 MS. KEISER: Thank you. The next three
20 speakers: Cynthia Busch, Susan Caruso, and
21 Darryl Rutz. Welcome.

22 MS. BUSCH: Thank you. Good morning,
23 everyone. My name is Cynthia Busch. I am the
24 chair of the Broward Democratic Party and I am
25 here speaking on their behalf. First, I want

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1 to say that I feel this commission has a great
2 responsibility to make sure that this process
3 is seen to be open and fair. And while I
4 commend you for having these meetings here
5 today and the one last night in Miami, it was
6 not clear to me that the public is fully
7 informed of this process that's going on or
8 that these meetings that are happening -- they
9 are incredibly important that as many people as
10 possible get to participate in this process
11 since it only happens every 20 years. So I
12 want to encourage you to have more meetings, in
13 particular to have one in Broward County if you
14 can. And also to make sure that you adopt the
15 rules that ensure that the public feels that
16 this process is open and ethical. In
17 particular, I am concerned that there has been
18 some proposed changes to previous commissions
19 where records are now to be considered only
20 accessible rather than open. I think in this
21 age of electronics, of the web, there is more
22 than ample opportunity for all meetings to be
23 published online, for all records to be
24 available for the public to inspect, and of
25 course for the public to be able to offer input

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1 electronically as well if they cannot make
2 these meetings. Also, I want to also
3 discourage you from making a proposed change
4 which I heard that meetings between two
5 commissioners are not required to be publically
6 warned or for the public to be there to hear
7 about what you are discussing with one another.
8 I feel that this process needs to be -- happen
9 in the sunshine just as every other public
10 meeting in Florida happens. There is no reason
11 for you to change the rules from previous
12 commissions.

13 Finally, while I'm out of time, I urge you
14 to restore felons rights automatically. This
15 cannot continue any longer in the State of
16 Florida. Thank you.

17 MS. KEISER: Thank you.

18 MS. CARUSO: Good morning, commissioners.
19 My name is Susan Caruso. I'm a long time
20 resident of Broward County. I have 3 children,
21 4 grandchildren, and I'm a 30 year veteran of
22 public school teaching. I came here today with
23 rather nebulous ideas about what I wanted you
24 to know, but I'm going to start with Article 2,
25 Section 7 which gives the State of Florida the
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1 duty to protect and conserve our -- sorry --
2 natural resources. And the best way we can do
3 that is to stop subsidizing and supporting
4 regressive fuels like oil, natural gas that's
5 been -- and the dirtiest of all, coal, and
6 start looking forward to being progressive, and
7 supporting solar energy as much as possible and
8 wind energy. I just joined a solar co-op, so
9 I'm going to put my money where my mouth is --

10 AUDIENCE: Thank you.

11 MS. BUSCH: -- so -- yes, thank you. And
12 as a school teacher, I'm going to put that hat
13 on next. When I would get seniors who hadn't
14 taken the FCAT, I know that's defunct now, but
15 I'd say, well, why didn't you take it when you
16 were a sophomore, and they'd say, well, I was
17 in a private school, I don't -- I didn't have
18 to take that. So they don't have to teach or
19 take the same students I had, they didn't have
20 the same graduation requirements, and they want
21 to steal our money. When the playing is equal,
22 then maybe I'll agree to that, but when that
23 time comes then we'll cross that -- that
24 boundary when we get there.

25 And lastly, the young lady who had the
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1 planned parenthood posters on, but I just want
2 you to know for me personally, if it weren't
3 for planned parenthood, my first wellness
4 visit, I might not have been blessed with
5 having my three children when I wanted them and
6 making one of those horrible decisions that was
7 my right to make. And when the -- I don't want
8 moral decisions made for me.

9 So those are my -- that's my 3 cents and I
10 appreciate your time and effort. I hope you
11 didn't just hear blah, blah, blah. Thank you.

12 MS. SULLIVAN: Thank you.

13 MR. RUTZ: Good morning. My name is
14 Darryl Rutz. I live in Pembroke Pines. And I
15 had a career working for the State of Florida,
16 the state government. I retired from that and
17 now my second career is the environment. I'm
18 an environmentalist. That can be a good thing
19 for some people and it can be a bad thing for
20 some people. Really big into renewable energy.
21 I think that's something that -- that same
22 article that Sue Caruso quoted, we should have
23 enlarged that a little bit and mentioned
24 renewable energy. The City of Saint Petersburg
25 is the first city in Florida to agree that by I
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1 think it's 2035 that they're going to -- all of
2 their energy is going to be renewable, and I
3 think that's the direction we need to go. So I
4 do thank you and -- I'm so impressed that every
5 one of you all are here. That's great. Thank
6 you.

7 MS. KEISER: Thank you. The next three
8 speakers: Mr. Waselenchuk, Gordon Dieterle,
9 and Christine Schwartz, would you please come
10 forward? And please, if I didn't pronounce
11 your name correctly, help us. Thank you.

12 MS. WASELENCHUK: No problem, but I'm not
13 a mister.

14 Good morning. I'm here to support the
15 e-verify amendment on the 2018 ballot
16 initiative. At long last Florida constituents
17 would be assured that our state would no longer
18 be a magnet for unverified, illegal workforce,
19 and that only those legally authorized to work
20 in our state will have the opportunity to
21 secure the sought after jobs that Florida
22 employers offer. Jobs that would greatly
23 assist law abiding, work authorized, Florida
24 constituents that require this employment to
25 sustain themselves and their families.

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1 E-verify should be supported for a variety
2 reasons, but paramount accordance is the fact
3 that State of Florida should promote and
4 maintain a fully authorized legal workforce.
5 We must end the illegal alien job magnet that
6 draws people to our country without proper
7 authorization to do so, and makes the job of
8 Florida law enforcement and border agents more
9 difficult. In the horrific most lively
10 publicized tragedy of Kate Steinle, her killer
11 admitted that he continued to return to the
12 U.S. after a series of deportations because he
13 knew he could find employment in the U.S.,
14 courtesy of the job magnet. The unfortunate
15 and sad fact is that the murder case Steinle is
16 not an isolated incident. When the illegal
17 workforce comes to the U.S. to take jobs that
18 offer them greater opportunities, they're
19 welcomed by employers who are able to hire them
20 for lower wages than they would have to pay
21 U.S. workers. The employment is illegal --
22 this employment is illegal under a law enacted
23 in 1986, but some employers ignore the law and
24 hire illegal workers in the underground
25 community, others simply fake employment

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1 documents and higher the illegal workers as if
2 they there legal because there is no
3 requirement to verify documents presented by
4 workers and employers can easily evade
5 compliance. When the illegal population of
6 other countries are being telegraphed that jobs
7 exist in Florida for unauthorized workers, if
8 they --

9 MS. KEISER: Thank you.

10 MS. WASELENCHUK: -- illegal entry to our
11 shores, it only exacerbates the problem --

12 MS. KEISER: Thank you.

13 MS. SCHWARTZ: There was somebody that was
14 called before me. I'm Christine Schwartz.
15 I've been here for over 40 years, and I have to
16 say, I'm really saddened with what's happening
17 with the state so. We've become a national
18 joke and I'm sure you all seen Flori-duh,
19 D-U-H. We are voted by Harvard Research as one
20 of the most corrupt states in the country. And
21 I don't say that lightly. This is a state I
22 loved. And I'm suggesting take the original
23 name Florida, the Spanish, and take the R-E in
24 restore ethics. I don't have time in two
25 minutes, so I can just go little snippets of
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1 the preamble to the Florida State Constitution.
2 To create a more perfect government. Let's get
3 rid of animal farm. When I was in high school
4 I had to read animal farm. All animals are
5 equal, some more equal than others. If you're
6 politically connected, if you have lots of
7 money, you are more equal than probably the
8 rest of us in the audience. You up there are
9 more equal than I am, let's be honest. Let's
10 get rid of the pay to pay politics. The more
11 money you have, the more politically -- and the
12 system goes on. The gerrymandering, there's a
13 real easy fix. I read as an editorial
14 continuous zip codes. Let's get rid of these
15 ridiculous geometric patterns. Let's get
16 honesty and ethics back into government.
17 Domestic tranquility, can we please stop the
18 partisanship of stacking courts. I have a
19 novel idea for you: Get one democrat and one
20 republican, each party can chose and then they
21 have to decide on one supreme court judge,
22 somebody with honesty and ethics who will
23 follow the law instead of their own, you know,
24 partisan politics. Civil rights, restore voter
25 rights. I was at a volunteer breakfast with
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1 somebody and she couldn't vote. You know what
2 this felon's egregious offense was? She was a
3 victim of domestic violence and she would not
4 allow her kids to get beat up by the husband.
5 She's a convicted felon and she can't vote
6 because she protected her children. Where is
7 your right to life? I mean, seriously.
8 Political rights, local rule --

9 MS. WASELENCHUK: Thank you. Thank you.
10 Ladies and gentlemen, we would appreciate if
11 you could take -- just signal support so we can
12 continue with making sure that everyone is
13 heard today. Laurie Adams, Gary Lesser, and
14 Christene Campbell-Gabor. Welcome.

15 MS. ADAMS: Good morning. Thank you.
16 Thank you to the commission for this
17 opportunity to speak. My name is Laurie Adams.
18 I am a partner at the law firm of Kubicki
19 Draper. I've been an insurance defense
20 attorney for 23 years and I'm currently the
21 president of the Palm Beach chapter of the
22 American Board of Trial Advocates. It is on
23 their behalf that I'm here to speak to you
24 today about the importance of judicial
25 independence and the importance to protect the
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1 judicial independence of Florida judges. The
2 American Board of Trial Advocates is a national
3 organization made up of an equal number of
4 plaintiff attorneys and defense attorneys. We
5 are non-partisan. We're an experienced group
6 of trial attorneys and our goal is to promote
7 civics education to protect our judges who have
8 been unfairly attacked because they cannot
9 speak out for themselves because of ethics
10 rules, and to promote judicial independence,
11 and a right to trial by jury. You don't have
12 to look very far to find that judicial
13 independence is a cornerstone of every single
14 free society in the world and has been since
15 the beginning of writings from sovereignties
16 back to 400 A.D. Our founding fathers who were
17 so determined to be free from tyranny of the
18 monarchy that they wrote into our United States
19 Constitution the protection of federal judges
20 from outside influences and from political
21 pressure. Our federal judges are protected
22 for -- by -- life time terms and to keep their
23 salaries from being reduced. We need to
24 protect our judges from term limits. We're
25 opposed to term limits. That exposes them to

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1 outside interests and political influences. We
2 need to pay them a financially secure salary.
3 We need to allow them to manage their own
4 administration in their courthouse. And most
5 of all, we need to promote civics education in
6 the schools and in the public so that our
7 citizens know that they cannot have a free
8 society and a strong democracy unless our
9 judges have the ability to be free from outside
10 influence and free from political influence to
11 apply the law fairly to all citizens.

12 MS. KEISER: Thank you.

13 MS. ADAMS: Thank you.

14 MR. LESSER: Good morning to the chair, to
15 the members of the commission, to all of us
16 that are gathered here today. My name is Gary
17 Lesser. I'm a third generation Palm Beach
18 County person, but I'm here today on behalf of
19 the Florida Bar Board of Governors where I'm
20 also the legislation chair which is where my
21 gray hair comes from, but it's good work
22 because the work that we all do is very
23 important. And I'm here to speak about the
24 topic of judicial independence. Considering
25 our independent judiciary, our co-equal third
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1 branch which is the cornerstone of protecting
2 our democratic rights in the State of Florida.
3 There have been a few comments made at the
4 public hearings and -- few today, but it's
5 important to remind everybody the important
6 role that our independent judiciary plays in
7 Florida and in our country. This is not about
8 deciding winners or losers. Judges have the
9 unique role of ruling on the facts, ruling on
10 the law, and being impartial. There's a great
11 quote from Chief Justice Rehnquist when he
12 said: A judge is bound to decide each case
13 fairly and accordant with the relevant facts
14 and applicable law, even when the decision is
15 not the one the whole crowd wants. We need to
16 keep our judiciary free from partisan
17 interference so it protects our democratic
18 rights. On a side note, the concept of the
19 appellate court system goes back to the bible.
20 For those of us who are familiar with our
21 bible, Moses was the sole judge of law and he
22 was wearing himself out hearing people all day
23 long, and his father-in-law said, Moses,
24 perhaps there's a better way to go, and that is
25 where the concept of appellate -- actually

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1 three levels of appellate courts was invented.
2 It has been a cornerstone of Western democracy
3 ever since. So I'd request members of this
4 commission to please make sure that nothing
5 happens in your watch that affects judicial
6 independence and the ability of judges to do
7 their jobs properly. Thank you.

8 MS. KEISER: Thank you.

9 MS. CAMPBELL-GABOR: Good morning. My
10 name is Christene Campbell-Gabor and thank you
11 for letting me speak this morning, it's greatly
12 appreciated. I am the chair of civics
13 education for the League of Women Voters and I
14 am asking you to amend the Florida Constitution
15 education sections, Pages 35 and 36, Section 1
16 and 7, to include teaching civics education to
17 all students from kindergarten through college
18 and university and higher education facilities
19 would then be required to five credits for
20 civics education classes. My rationale is
21 multi-fold. There's no more important task
22 than the development of an informed, effective,
23 and responsive citizen. We need to ensure that
24 each generation acquires the knowledge, skills,
25 and develops an understanding of their role in

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1 democracy. Statistics show that the percentage
2 of citizens under the age of 30 who vote has
3 declined to an all time low. Civics education
4 is essential to sustain our constitutional
5 democracy. Democracies are sustained by
6 citizens who have the requisite knowledge,
7 skills, and dispositions. It is imperative,
8 therefore, that educators, policy makers, and
9 all members of civil society make the case and
10 ask for support of civics education from all
11 segments of society, and from the widest ranges
12 of institutions and governments. Civics is
13 currently only taught in grade 7 and 11.
14 That's not enough. Ensuring that civics
15 government is taught in the schools is not only
16 my goal, and a bit of action I must say, it is
17 also the key goal of current chair of
18 education, Michael Paducah (phonetic). In
19 addition, many non-partisan groups including
20 the League of Women Voters are working together
21 to investigate innovative, interesting ways to
22 ensure that our youth are provided with the
23 civics education they require to understand the
24 importance of participating fully -- including
25 voting and running for office. I believe that

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1 the impact of this amendment would be good for
2 all Americans and for the future of democracy.
3 And I want to --

4 MS. KEISER: Thank you.

5 MS. CAMPBELL-GABOR: -- thank you all for
6 being a part of this commission and for your
7 consideration.

8 MS. KEISER: Our next three speakers are
9 Dr. Thomas Gabor, Luna Adachi, and Linda Grand.

10 MS. GABOR: I'm back to speak on behalf of
11 Dr. Thomas -- Gabor because unfortunately he
12 had to have surgery yesterday and he is not
13 able to join us today. I have exactly what he
14 wanted to say. Dr. Thomas Gabor was a
15 professor of criminology for 30 years. He's a
16 researcher, international consultant, and
17 expert witness in criminal justice. He's also
18 the author of recently released book called,
19 Confronting Gun Violence in America. In the
20 past year Florida has experienced two horrific
21 mass shootings in public, including the
22 deadliest in American history last June in
23 Orlando. We also lead most of the states in
24 the number of these shootings. The residents
25 of the states are entitled to protection from
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1 gun violence. Aside from the deaths, injuries,
2 and trauma, the unrelenting -- of gun violence
3 and the continuing parade of high profile mass
4 shootings will ultimately damage Florida's
5 reputation and hospitality industry. I
6 respectfully -- Tom -- respectfully recommend
7 that the preamble to the Constitution include a
8 reference to public health and safety in
9 addition to public order which is a very
10 different concept. The relevant phrase can
11 read, maintain public order, health, and
12 safety. In addition he proposes that Article
13 1, Section 2 on basic rights includes a
14 reference to living and working in a safe
15 environment. This section could read: All
16 natural persons, female and male alike, are
17 equal before the law and have alienable rights
18 among which are the right to enjoy and defend
19 life, liberty, the pursuit of happiness, and to
20 live and work in a safe environment. Thank
21 you.

22 MS. ADACHI: Good morning. My name is
23 Luna Adachi. I am a proud American citizen
24 living in Miami. I am a member of JACL,
25 Japanese American Citizen League and also Asian
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1 Real Estate Association of America. In 1913
2 over 100 years ago California was the first to
3 adopt alien land law which banned alien
4 immigrants to own or purchase any land or
5 property. In 1926 Florida adopt the alien land
6 law into its Constitution. At that time only
7 Asians were ineligible to become U.S. citizens.
8 In 1940s in Florida Asians -- land was seized
9 by U.S. government where now located Boca Raton
10 Airport and right here, Florida Atlantic
11 University. I'd like you to be aware that
12 Florida is the only state in the nation still
13 have a Constitution with racial and
14 discriminational language in the book. Still
15 now 2017 even the State of California repealed
16 its alien land law in 1956, over 60 years ago.
17 On behalf of the Asian community in Florida,
18 we'd like to request Florida Constitution
19 Revision Commission to consider to remove the
20 racial discriminational alien land law from our
21 Florida State Constitution, Article 1, Section
22 2, basic rights. Thank you and God bless you.

23 MS. KEISER: Thank you.

24 MS. GRAND: I'm Linda Grand, president of
25 the League of Women Voters of Martin County.

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1 First, let me thank you for your service and
2 efforts on behalf of this commission. In the
3 words of our Martin County State Senator,
4 President Joan Negron regarding public comment:
5 Be brief, be bright, be gone. The league
6 worked to achieve passage of fair districts
7 amendments in 2010 and thereafter to ensure
8 compliance. Please, please, please, please,
9 don't mess with fair districts. Thank you for
10 your time.

11 MS. KEISER: Will the next three speakers
12 please come forward, Jan Beasley, State
13 Attorney Dave Aronberg, and Rebecca Potter.
14 Welcome.

15 MS. BEASLEY: Good morning, I'm Jan
16 Beasley and I'm --

17 AUDIENCE: Excuse me. Who's setting the
18 time clock?

19 MS. BEASLEY: I'm -- okay, can you start
20 over since I have not been able to talk. I'm
21 here today to speak to you regarding Article 1,
22 Section 23 that was well intended and is
23 unfortunately poorly written to achieve its
24 original intent. As I understand it, the law
25 intended to address our government's intrusion
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1 into citizen's every day lives. However, it
2 has been used to stop the intrusion of parents
3 into the lives of their minor children seeking
4 abortion. It does not state that it pertains
5 to the intrusion into adult citizen's lives,
6 however, so it leaves it open to refer to any
7 age group of citizens. That being said, the
8 article as it's written puts school teachers in
9 a quandary based on the interpretation of
10 protection of every person's privacy regardless
11 of age. As it's currently written it applies
12 that if a child is failing a subject in school,
13 the teacher cannot discuss with the minor's
14 parents by law. It should also be noted that
15 Article 1, Section 23 states the person is to
16 be left alone from government intrusion. A
17 teacher is an employee of the government,
18 however, so abortion clinic staff are not, yet
19 it's being used for the ladder. As poorly
20 written as it is, it appears it is also being
21 improperly implemented by the Florida Courts by
22 giving abortion clinics designation of the
23 government employee which it is not. Please
24 consider rewriting Article 1, Section 23 to
25 clearly define its original intent which will

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1 correct two wrongs. It should give us the
2 privacy laws that we need today and it will put
3 a stop to this law being used in such a
4 misdirected manner.

5 That being said, I would also like to
6 speak to the electoral college. As far as I'm
7 concerned, I have learned by studying that we
8 are not a democracy. We pledge allegiance to
9 the United States of America and to the
10 republic for which it stands, and because of
11 that the electoral college is extremely
12 important. It allows the government to be
13 about we the people throughout the entire
14 United States. If we allow large metropolitan
15 areas to carry a majority --

16 MS. KEISER: Thank you.

17 MS. BEASLEY: -- then they can rule the
18 entire country.

19 MS. KEISER: Thank you. Can we adjust the
20 clock please to make sure -- thank you. Thank
21 you very much. Let's start over again two
22 minutes --

23 MR. ARONBERG: Well, good afternoon, and
24 welcome to Palm Beach County. I'm State
25 Attorney Dave Aronberg and I'm here to ask you
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1 to put an end to the worst election scam that
2 exists today, the write-n loophole. In 1998
3 the CRC put an amendment onto the ballot that
4 said that if all the -- in a race come from the
5 same political party that everyone gets to vote
6 in that election. Voters in 1998
7 overwhelmingly passed that amendment into the
8 Constitution with 64 percent of the vote.
9 Despite this, the Division of Elections decided
10 that a write-in candidate serves the close
11 primary, thereby disenfranchising thousands of
12 voters and essentially rendering the 1998
13 constitutional amendment null and void. Since
14 then millions of Floridians have been deprived
15 of their right to vote in elections that matter
16 a great deal to them, and both sides do this.
17 They put up these phony write-in candidates
18 that don't pay a filing fee, they don't submit
19 petition signatures, they don't submit a
20 disclosure form, in fact, their names are not
21 even on the ballot. Today are political
22 candidates are so brazen about this that they
23 file their papers during qualifying week often
24 with the write-in candidate in tow. This
25 write-in candidate is often a friend, a

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1 supporter, or even a relative. There's a local
2 elected official, in fact, who has recruited
3 her own mother to run against her as a write-in
4 candidate for the last three elections. Now, I
5 realize the argument's on the other side that,
6 hey, only republicans should vote in republican
7 primaries, and only democrats should vote in
8 democratic primaries, but that's not what the
9 voters wanted in this one circumstance when
10 both -- when all the candidates in a race come
11 from the same party. And the will of the
12 voters has to mean something. Democracy has to
13 mean more than gamesmanship and manipulation.
14 When I was in the state senate I tried to close
15 this loophole and came close, but it's hard to
16 ask politicians who benefit from the system to
17 change the system. But you have that power.
18 Please honor the will of the voters and our
19 democracy itself by closing this destructive
20 loophole. Thank you.

21 MS. POTTER: Hello, I'm Rebecca Potter. I
22 welcome the opportunity to speak to you because
23 I have been trying to speak to my legislatures
24 of the State of Florida for ten years and also
25 the Florida Bar. I was victim of domestic

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1 violence and I was fortunate enough to escape,
2 but I didn't escape legal abuse which I endured
3 and am still enduring in the Florida Court
4 System. I suffer from post traumatic stress as
5 a result of that and I am told that I have
6 access to justice, I can represent myself.
7 Well, that is not the case when you have a
8 disability and you cannot function when you're
9 forced to face your abuser. I wouldn't -- if I
10 were raped, I wouldn't be forced to face my
11 abuser with an attorney in a court of law, I
12 would be represented, and I'm not represented.
13 Domestic violence is just not protected in the
14 State of Florida. If I -- if I needed a home,
15 there are more shelters for animals than there
16 are for women and children who suffer from
17 this -- this mental tragedy. And we need to
18 protect these citizens. But how we need to
19 protect them is we need to give them adequate
20 legal representation. The abusers tend to have
21 all the financial reserves and they hire great
22 attorneys and the attorneys don't follow the
23 rules that they're supposed to, the judges
24 don't follow the rules that are written on the
25 books, and that's my concern. You guys want to

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1 put these words on this piece of paper, but we
2 the citizens, we need legal representation to
3 ensure that these words are followed so that
4 our country, our state is fair. We're not
5 getting that. We're expected to be able -- we
6 are told, oh, you can appeal the decision. You
7 cannot appeal the decision if you do not have
8 funds. My situation was made such a
9 complicated legal nightmare that I would need a
10 team of attorneys to address the issue. And
11 I've asked my state agencies, help me, help me.
12 I've written to every member of the house and
13 senate, judiciary committee, financial --
14 finance and banking committee, and no
15 assistance. Crimes have been committed against
16 me in the court that are absolutely illegal,
17 but no one oversees them.

18 MS. KEISER: Thank you. The following
19 speakers are Virginia Apuzzo, Connie -- excuse
20 me -- Corinne Miller, and Randolph Shine,
21 please come forward.

22 MS. APUZZO: Good morning. My name is
23 Virginia Apuzzo. I want to talk a bit about
24 the posture of this state towards voting
25 rights. And I use the word posture, the
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1 posture of the state towards voting rights.
2 There's a perception that voting rights are
3 restricted in this state. I think we agree the
4 perception is out there. If it's -- if it's --
5 if the state not opposed or trying to restrict
6 voting rights, then I think that we would do
7 well to look at the policies, the procedures,
8 and the practices that either support voting
9 rights or restrict voting rights. People have
10 talked here about felons and about the
11 importance of re-enfranchising felons; that's
12 one way. Another way is clearly move toward
13 making voter registration accessible and where
14 the DMV is involved perhaps automatic. These
15 are basically ways in which the State of
16 Florida can say, we don't restrict voting
17 rights in this state, we believe in voting
18 rights.

19 There's another issue that is a highly
20 sensitive one, and that is sanctuary cities. I
21 heard people talk about local control. Well,
22 I'm appalled at the fact that the attorney
23 general is moving to withhold funds, blackmail
24 frankly, and local -- the state, this state has
25 legislation in front of it to further fine

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1 cities or locales that might want sanctuary
2 areas. I wonder if these folks know how many
3 people are being detained today in detention
4 centers. I called Broward County, there were
5 680 people being detained last Wednesday. You
6 know how many judges there are to hear these
7 cases? 243 in the country. You know what the
8 average time --

9 MS. KEISER: Thank you, ma'am.

10 MS. MILLER: My name is Corinne Miller and
11 I'm a Florida voter. I'm going to talk about
12 redistricting. When Article 3, Section 16 was
13 placed in the Florida Constitution of 1968 the
14 writers were apparently quite aware that they
15 had a problem on their hands. There are
16 numerous mentions of the possibility of the
17 legislature failing to -- in a timely manner,
18 -- for special sessions of the legislature and
19 the involvement of the judiciary. They knew
20 the legacy of Eldrige Jerry (phonetic) and
21 anticipated the dark role of partisan politics.
22 Every 10 years we watched as the interest of
23 the Florida voters took a back seat to what
24 would become a secretive and intense battle
25 between the parties. It took years of effort

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1 by non-partisan groups to at least provide
2 guidelines for doing the job. A super majority
3 of Florida voters in 2010 approved
4 constitutional amendments that set specific
5 standards for creating congressional and
6 legislative districts. In true form the lines
7 drawn by the legislature in 2012 resulted in a
8 court challenge, but standards won the day.
9 While no system has yet been devised to keep a
10 legislature from attempting to secure incumbent
11 protections. The 2012 apportionment began the
12 process of making the system more fair. I ask
13 this commission to let this noble experiment
14 stand. Do not tinker with Sections 20 and 21
15 of Article 3. It is working.

16 MR. SHINE: My name is -- my name is Randy
17 Shine. Simple solution on giving ex-felons
18 their voting rights: Since the Constitution
19 connects paying taxes with voting, any ex-felon
20 that -- all ex-felons do not have to pay taxes
21 until they're reinstated. That's fair. Simple
22 rule. It solves the problem. Because I know
23 Scott, you say -- money, they'll be free
24 tomorrow. Trust me on that.

25 I will go along with the concept of
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1 charter schools, but here's my complaint: The
2 charter schools currently operating, setting
3 up, and moving, it's the late -- the last great
4 white wealthy flight from society. They want
5 their own -- to indoctrinate their own children
6 in their particular way of thinking -- public
7 schools -- I'm a public school person because
8 that's how I grew up. We have the public will.
9 Jefferson himself said, we cannot have a
10 strong -- a democracy without an educated
11 population. Hence, that's why we needed a
12 standard so that every man got a similar
13 education in a similar environment so that we
14 all understood the civics program. I grew up
15 with civics. Back when I went to school I had
16 it starting in first, I had it all the way
17 through. Every year I had a civics course. So
18 I agree with that. I wasn't aware that we
19 don't teach civics anymore, so I'm learning a
20 lot today.

21 My third thing that I'm always involved
22 with, my wife and I go on mission trips. We
23 have -- we've been trained to install solar
24 energy in Haiti, anywhere we go. And solar is
25 the future if it's handled correctly. We are

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1 the sunshine state --

2 MS. KEISER: Thank you.

3 MR. SHINE: -- the sunshine state.

4 MS. KEISER: Thank you, Mr. Shine. We
5 have three more speakers, and many more,
6 Marianne Shine, Richard Randall, and I believe
7 it's Sheila Joffe or Jaffe. Welcome.

8 MS. SHINE: Good morning. I'm Marianne
9 Shine and I'd like to thank the commission for
10 being here and listening to public comments. I
11 don't have well prepared details, but I just
12 wanted to speak in favor of fair districting,
13 and against gerrymandering, and in support of
14 encouraging and doing anything you can for the
15 2012 experiment and districting that was
16 referred to before. And if there's anything
17 you can do to support districts that are more
18 balanced, I think it would be very helpful and
19 appropriate for our state. Thank you.

20 MS. KEISER: Thank you.

21 MR. RANDALL: I'm Richard Randall and I
22 want --

23 MS. KEISER: Excuse me one second. Adjust
24 the time clock. Go ahead.

25 MR. RANDALL: I'm Richard Randall and I
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1 want to talk about issues as a mind set to
2 voting exclusionary issues. I'm a member of
3 the MTA -- in Delray, also a member of the
4 Rusty Gordon LGBTQA Democratic Caucus, and Our
5 Revolution in Delray. And as a religious
6 person, I am also a gay person. A lot of
7 religions are still holding to the tone that --
8 that gay people are a sin of the world. Well,
9 we want to get the mindset out there that we're
10 not. We're millions of people in America.
11 There's some 30 million people that are gay.
12 And separation of church and state is important
13 to me because all religions have a point and
14 have a place. People of non-religion have a
15 point and a place in America. So I want you to
16 really be sure that you separate church from
17 state, not be what we see over in the middle
18 east where the state -- where the churches are
19 running the states and ruining the world.
20 Inclusiveness is really important in the school
21 systems, in the communities, respect people.
22 This -- when you start to exclude people and
23 point them out and try to make yourself better
24 than them, you're bullying and bullying is
25 wrong in this country and we very much

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1 understand that. And we see results of those
2 teen suicides across America, so we need to
3 look into our Constitution and making sure
4 we're not putting bullets in there that are
5 making people think that people are lesser.
6 Personal rights are very important. They
7 should not be intrusions upon our personal
8 rights. When addressing any issue, ensure that
9 you have set all segments of our community
10 under society are included in your decisions --

11 MS. KEISER: Thank you.

12 MR. RANDALL: Thank you.

13 MS. JAFFE: Good afternoon. My name is
14 Sheila Jaffe. In 1972 women professors at FAU
15 were denied tenure and they were underpaid.
16 They created a group called Feminist United and
17 that eventually became the Palm Beach County
18 chapter of the national organization for women,
19 and that was founded by women and men, it's an
20 organization for women's rights. We have over
21 400 chapter members and in the total county we
22 have a thousand members, and we vote. An
23 important issue to women, especially to senior
24 women in Florida as our population is growing,
25 when we're underpaid all our lives, we are

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1 living in poverty as seniors. And Florida is
2 also losing the taxes that -- because women are
3 underpaid. And some people, myself included, I
4 only get \$800 a month social security. Imagine
5 how many women are trying to survive on \$800 a
6 month, and it's going to be getting worse in
7 Florida because we have an aging population and
8 most of this population are women and many are
9 going to be single or widowed. I encourage you
10 to support equal work for equal pay. At the
11 worse women are making 70 percent of what men
12 are making, and women of color are making 55 to
13 65 percent. So please support equal work for
14 equal pay. Thank you.

15 MS. KEISER: Next three speakers: David
16 Conway, Karl Wickstrom, and Scott Singer.
17 Welcome.

18 MR. CONWAY: Thank you. Welcome. I'm
19 David Conway from Florida Sportsman Magazine.
20 That's a recreational fishing and boating
21 magazine founded in 1969. And we're in support
22 of the net ban which was passed by overwhelming
23 voter majority in '94 and enacted in '95
24 enacted. So I'd like to introduce Karl
25 Wickstrom behind me who's the founder of
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1 Florida Sportsman Magazine and who has fought
2 for more than 50 years for the protection of
3 Florida's natural resources and who many people
4 call the father of the net ban.

5 MR. WICKSTROM: Thank you. Good morning,
6 gang. I would call you the last resort gang.
7 Your position in the world is very interesting
8 because when everybody else fails, all the
9 boards and the legislature fail, you have to go
10 through the constitutional amendment process.
11 In 1991 that's what we did, we initiated the
12 net ban and we had to collect 428,430 valid
13 signatures to force this onto the ballot. And
14 it's way too long a story to go into now, but
15 you really shouldn't tinker with it or even
16 change one comment because it's worked, it's
17 done a wonderful thing for the marine
18 resources. We had a very bad situation in the
19 70s and 80s when we had tremendous over kill
20 and it took the net ban to stop that. And so
21 please, don't change it now after all we've
22 been through. I brought some -- I brought some
23 columns that I've written over the years and
24 I'll leave them with staff, but keep up the
25 good work. It's uphill, I know, because you

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1 have a lot of people with special interests
2 that would like to change things and go back to
3 the old slaughter days. I think you're
4 probably -- most of you are too young to
5 remember, but we had some incredibly amazing
6 things going with killing out there with sea
7 turtles, porpoises, fish, pelicans. Pelican
8 nestings were down 50 percent because of the
9 absence of pray fish, mullet particularly. And
10 so it was an incredible situation. And the
11 public was very upset and we couldn't get --
12 couldn't get anything done by the legislature
13 or the various boards in marine fisheries
14 commission.

15 MS. KEISER: Thank you.

16 MR. SINGER: Mr. Chairman and
17 commissioners, I am Scott Singer, a Boca Raton
18 City Counsel Member. Welcome to Boca Raton.
19 Most of all, thank you for your service and the
20 opportunity to speak today. I'm going to join
21 the call of some other -- local elected
22 officials and ask you to preserve the important
23 principle of home rule. Pending in this
24 session of the legislature alone are a host of
25 bills that would significantly hamper the

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1 abilities to govern on local issues. We all
2 can accept the fundamental premise that local
3 issues are best designed and best determined
4 locally. But yet pending in the legislature
5 are bills that would hamper the ability and
6 actually bar cities from restricting or
7 regulating in any area concerning businesses
8 and their location that would allow businesses
9 to go into single family neighborhoods
10 regardless of the impact on traffic or police.
11 It would significantly hamper cities abilities
12 to determine their own budgets and cause a --
13 in the providing of local services. There is
14 even a bill pending in the legislature to
15 prohibit residents to determine the timing and
16 term of the elections for their own elected
17 officials. We can all accept the fundamental
18 premise that local issues should be determined
19 locally. And I encourage you to review the
20 legislation that's been -- full language that's
21 been provided by the Florida League of Cities
22 in this area. Review is and hopefully
23 recommend it to the voters. These proposed
24 laws can all have good intentions, but there is
25 a difficulty that comes up from a one size fits

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1 all policy when you're dealing with 412
2 municipalities in a state as diverse as
3 Florida. And the first constitutional revision
4 commission took place in 1787 in Philadelphia.
5 And from that system we have the fundamental
6 federal system which allowed America and states
7 like Florida to flourish by allowing state
8 issues to be determined at the local level.
9 You too have the power to ensure that
10 localities can determine local issues and that
11 we can all flourish. It's important for
12 Florida's future. Thank you.

13 MS. KEISER: Ladies and gentlemen, we have
14 three more speakers. And I think it might
15 be -- we'll take a break for about five minutes
16 afterwards. And the following the three are
17 Alex Boardman, Tom Regnier, and Charles
18 Cartwright, please come forward.

19 MR. BOARDMAN: Hello, everyone. Thank you
20 for taking the time to -- for this meeting.
21 Thank you everyone for being patient. I know
22 my daughter has been a little antsy. So I'm
23 here to speak on behalf of open primaries. I
24 know that this last year we had 3.1 million
25 voters who did not vote --

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1 MS. KEISER: Excuse me -- will you come
2 closer to the microphone --

3 MR. BOARDMAN: It's okay.

4 AUDIENCE: You want me to hold her or
5 something?

6 MS. KEISER: Thank you. Thank you --

7 MR. BOARDMAN: So I'm advocating in favor
8 of open primaries. The -- I feel it's
9 extremely important for -- to be inclusive of
10 all voters of Florida. This -- I can't imagine
11 us being able to call ourselves a democracy
12 here while we exclude 3.1 million people like
13 we did in this last election cycle. And we
14 have -- as we all know the definition of
15 gerrymandering where politicians essentially
16 pick their voters so that we can have safe -- I
17 feel that -- one of the -- one of the two major
18 parties afraid of if they're going to -- if
19 they're going -- are they afraid of their
20 policies or are they afraid of voters having
21 different idea than the established ideals of
22 each of our two large parties. So thank you
23 very much for taking the time to listen to me
24 and --

25 MS. KEISER: Thank you.

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1 MR. REGNIER: Hello. My name is Tom
2 Regnier and I'm attorney in Broward County.
3 And I'm here to speak about Article 1, Section
4 22 which is about juries, and I want to talk
5 about jury independence. And I'd like to
6 direct your attention to a passage from the
7 standard Florida jury instruction in criminal
8 cases. The jury is instructed: It is
9 important that you follow the law spelled out
10 in these instructions in deciding your verdict.
11 There are no other laws that apply to this
12 case. Even if you do not like the laws that
13 must be applied, you must use them. Now, I'd
14 like to give you a couple of quotations from
15 some of our founding fathers. John Adams said:
16 It is not only the jurors right but his duty to
17 find the verdict according to his own best
18 understanding, judgment, and conscious, though
19 in direct opposition to the direction of the
20 court. Thomas Jefferson said: The question
21 relate to any point of public liberty the jury
22 undertake to decide both law and fact. And
23 John Jay, the first Chief Justice of the United
24 States in instructing a jury in one of the few
25 trials that occurred in the U.S. Supreme Court

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1 told the jury that it could decide both the law
2 and the facts. In 1670 in the trial of William
3 Penn for preaching Quakerism in the streets of
4 London, the jury acquitted Penn in spite of the
5 judge's instructions. So I would like to ask
6 this commission to add the following sentence
7 to Article 1, Section 22 of the Florida
8 Constitution: The jury shall have the
9 discretion to decide both the law and the facts
10 in a criminal case. I'd like the commission to
11 remember that both the state and the United
12 States Constitutions begins -- begin with the
13 words, we the people, not the words, we the
14 government. This is an important -- excuse
15 me -- an important check on government
16 overreach. And I would like to give the people
17 the importance that they deserve in the
18 criminal justice system. Thank you.

19 MS. KEISER: Thank you, Mr. Regnier. Is
20 Mr. -- is Mr. Charles Cartwright here? Ladies
21 and gentlemen, it's about 11:45 and we'll take
22 about a five minute break and continue again.

23 (Thereupon there was a brief
24 recess and the proceedings
25 continued as follows:)

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1 MR. KARLINSKY: A couple points really
2 quick. Number one, for those of you that
3 may -- public service announcement from the
4 mayor, for those of you that may be traveling
5 north, 95 apparently is shut down, so you may
6 want to make alternate arrangements. Secondly,
7 as you know this meeting was scheduled to end
8 at noon, so some of the commissioners have
9 other places they need to get to, but there is
10 going to be a group of us that are going to
11 stay here through the end. The good thing is
12 that as you know all of this is televised, so
13 none of the commissioners that had to leave at
14 the scheduled time will miss anything. We'll
15 all review the testimony later this evening.
16 We have about 50 more speakers that put cards
17 in. We're going to listen to every one. One
18 of the things we do in some of the other
19 procedures that the legislature does is if
20 someone's already said what you've said, people
21 just come up and waive in support or say, I
22 support that, so in the interest of time, if
23 anyone is willing to do that, that will be very
24 much appreciated. But now I'm going to turn it
25 over to Bill Schifino to start on the next

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1 group of speakers. Commissioner Schifino.

2 MR. SCHIFINO: Monica Mayotte, Marcia
3 Halpern, and Pamela Goodman.

4 MS. MAYOTTE: Good morning. My name is
5 Monica Mayotte. I'm a resident here in the
6 City of Boca Raton. I am also a volunteer for
7 two organizations, one called the Climate
8 Reality Project, and one is called the
9 Citizen's Climate Lobby. Florida is one of
10 most vulnerable areas in the world when it
11 comes to the impacts of climate change. It has
12 the most assets at risk due to climate change,
13 especially South Florida. The denial of
14 climate change will not make it go away. There
15 is a bi-partisan caucus in congress called the
16 Climate Solutions Caucus. Their mission is to
17 pass carbon fee and dividend at the federal
18 level. Their membership is rapidly expanding
19 with equal numbers of members from both sides
20 of the aisle. Carbon fee and dividend makes
21 polluters pay a fee for the carbon they emit
22 into the atmosphere. That monies is collected
23 and then redistributed back to the citizens.
24 This is a revenue neutral solution that will
25 reduce pollution in our atmosphere. I'm asking

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1 this commission that it should create an
2 amendment to adopt the carbon fee and dividend
3 program here in Florida. Thank you for
4 providing me with this opportunity to talk to
5 you today about carbon fee and divided.

6 MR. SCHIFINO: Thank you very much. Sonya
7 Milu, and Anita Winkis, you'll be up next.

8 MS. HALPERN: My name is Marcia Halpern
9 and --

10 AUDIENCE: Start the clock, please.

11 MR. SCHIFINO: They have it. We're good.

12 MS. HALPERN: My name is Marcia Halpern.
13 I'm a board member of the Palm Beach County
14 ACLU. I would like to make a point about the
15 revision process and a couple of points
16 relating -- sorry -- relating to the issues
17 that are in the Constitution that we feel
18 should --

19 MR. SCHIFINO: Closer to the mic.

20 MS. HALPERN: Oh, okay. On the process,
21 we think that the revision commission should
22 schedule another round of public hearings
23 throughout the state so that citizens can
24 comment again after the commission has decided
25 what proposals are under serious consideration

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1 to be placed on the ballot in 2018. All
2 meetings of the CRC should be open and
3 transparent.

4 On constitutional issues, I would like to
5 urge strong support for two items, preserve the
6 right to privacy in Florida, Article 1, Section
7 23 of the Florida Constitution provides for
8 specific right of privacy and should be
9 preserved without change. These are the words
10 that voters approved: Every natural person has
11 the right to be let alone and free from
12 governmental intrusion into the person's
13 private life except if otherwise provided
14 therein. This section shall not be construed
15 to limit the public's right to access the
16 public records and meetings as provided by law.
17 No -- view should be considered in any aspect
18 of the Constitution. The second provision is
19 to protect the independence of the Florida's
20 judiciary and maintain the system of checks and
21 balances that protects Florida's citizens --
22 I'm sorry, I lost my place -- and that our
23 constitutional -- rest on fundamental
24 principles of judicial independence and
25 separation of powers.

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1 Also, I would like to make it a point that
2 I object to the invocation in Jesus' name. I
3 am not a Christian and many people here are
4 not. Thank you.

5 MS. GOODMAN: Good afternoon. My name is
6 Pamela Goodman and I am president of the League
7 of Women Voters in Florida, and welcome to my
8 home county, Palm Beach County. Sorry about
9 the traffic jam, but powerful leaders including
10 all of you are here today and we are pleased to
11 have, of course, the President of the United
12 States and the President of China join us along
13 with you all esteemed people. This room is
14 really where it's all happening though. This
15 is engaged citizens making democracy work. And
16 as I've watched the two proceeding hearings in
17 Orlando and last night in Miami, frankly I am
18 in awe of the many citizens who have traveled
19 miles, waited long to speak, and then did so
20 and are doing so this morning so eloquently,
21 informed, passionately, and respectfully about
22 our state and their concerns. These are people
23 that are not just speaking from their heart,
24 but you can tell from their head to a
25 commission that they know holds a great amount

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1 of power to possibly better the Constitution in
2 our state. Many of those citizens didn't even
3 know about this commission. They didn't know
4 it existed, they didn't know that members
5 were -- were going to be appointed, and I want
6 to thank all of the organizations and the press
7 in Florida who helped informed citizens of
8 these upcoming appointments and the meetings
9 that are being held currently.

10 The League of Women Voters of Florida is
11 not immediately concerned with any of the
12 issues coming before this commission, rather we
13 are focused on the rules and the process of
14 this commission. The CRC must adopt its own
15 rules. So far the chairman has proposed rules
16 that have not been yet adopted that do deviate
17 from the last CRC in what we find are some
18 troubling and significant ways. We have five
19 top concerns, lack of transparency and road
20 blocks to public engagement, scheduling
21 conflicts, public hearings and public input,
22 potential leverage and --

23 MR. SCHIFINO: Please wrap it up.

24 MS. GOODMAN: -- influence over commission
25 members, and of course following the sunshine
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1 rules. Many of those specific questions we
2 have --

3 MR. SCHIFINO: Thank you very much.

4 MS. GOODMAN: -- I'm just telling you I am
5 writing a letter today with those --

6 MR. SCHIFINO: Thank you very much.

7 MS. GOODMAN: -- specific questions,
8 addressed to all of you. We hope this can
9 become a two way conversation --

10 MR. SCHIFINO: Cheryl Harris, Annette
11 Evans, and Dorrel McCall, you'll be up next.

12 MS. MILU: It's an honor to be here.
13 Thank you for your time. I'm speaking on
14 something that has been spoken earlier --

15 MR. SCHIFINO: Can you state your name,
16 please?

17 MS. MILU: -- my name is Sonya Milu.
18 Today I've come here before you as a concerned
19 citizen, wife, and mother striving to
20 accomplish an extraordinary feat for the
21 voiceless. I am here to earnestly petition you
22 to restore Florida's privacy amendment to its
23 original purpose because it was misappropriated
24 years ago by the Florida Supreme Court. The
25 privacy clause of Florida's Constitution,

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1 Article 1, Section 23, was discussed by the
2 1978 CRC, passed by the legislature in 1980 and
3 adapted by Florida voters with the clear
4 understanding it was addressing only
5 informational privacy. Thank you for your
6 time.

7 MR. SCHIFINO: Thank you.

8 MS. WINKIS: My name is Anita Winkis and I
9 am here to ask you as a former public school
10 staff member to preserve the strong public
11 school system for all of Florida's children.
12 I'm asking that the Constitution, Article 9,
13 Section 1(a) be preserved without change which
14 requires a state to both provide for the
15 education of all children residing within its
16 borders, and provide by law for a uniform,
17 efficient, safe, secure, and high quality
18 system of free public schools that allows
19 students to obtain a high quality education.
20 The voucher system may be seen as school
21 choice, but our tax dollars are being used, if
22 this goes through, at for-profit charter
23 schools and at religious schools. We need to
24 maintain the separation of church and state,
25 and our tax dollars should be used for public

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1 schools for all children, including those with
2 disabilities, including those with economic
3 disadvantages. Thank you.

4 MR. SCHIFINO: Thank you.

5 MS. HARRIS: Good afternoon. My name is
6 Cheryl Harris and I'm here to request that
7 Article 3, Sections 20(a) and 21(a) known as
8 the fair district amendments be left intact as
9 the super majority of voters in the State of
10 Florida in 2010 had voted them to be. However,
11 if there is a change that is done to them, I
12 would request that the CRC should instead
13 propose to put to the voters an amendment that
14 would take the apportionment decisions and --
15 re-districting decisions out of the hands of
16 the legislature and into an independent
17 non-partisan board or committee. Thank you
18 very much.

19 MR. SCHIFINO: Thank you.

20 MS. EVANS: Hi, my name is Annette Evans.
21 And the reason I'm here is because I support
22 some sort of amendment that would require our
23 state legislators to use the state trust fund
24 revenue for their intended purpose. Some
25 people may remember back in 2014 there was an
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1 Amendment 1 that restored funding for Florida
2 forever and it required that 33 percent of the
3 revenue from the existing excise tax that went
4 to the land acquisition trust fund be used for
5 Florida forever for its intended purpose. The
6 legislature does what they call sweeping of
7 these trust funds; they do it with the Sadowski
8 Affordable Housing Trust Fund, they do it with
9 the Transportation Trust Fund. And sometimes
10 even when the establishment of those trust
11 funds, this was done by voters, for example,
12 the Sadowski Affordable Housing Trust Fund.
13 And a lot of voters were not even aware that
14 this goes on. It's a way of not increasing
15 taxes, but they take money that's supposed to
16 used for transportation, for affordable housing
17 and they put it to other uses. And ideally
18 this should not be something that needs to be
19 in the Constitution, but unfortunately the
20 legislators have not shown restraint.

21 The other thing is I just wanted to echo
22 what people have said about the commission
23 process. We're fortunate living here in South
24 Florida that you've had hearings here, but,
25 yeah, I was hoping there would be more hearings

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1 for other parts of the state. Also that there
2 would be more public notice. There was only
3 about two weeks public notice for this hearing.
4 And that perhaps you do it on a weekend when
5 more people can attend. I'm retired, but, you
6 know, a lot of people who are working might
7 want to attend. Thank you.

8 MR. SCHIFINO: Thank you. Dorrel McCall,
9 Susan Aleshire, Tom Warnke, and Drew Martin.
10 Dorrel McCall. Okay, go ahead.

11 MS. BEASLEY: I'm here for Susan. She
12 just had to leave. I'm Jan Beasley. She did
13 want to speak to the electoral college and the
14 importance of it as it currently stands, but
15 that's already been covered. She wanted to
16 speak to you regarding the privacy law and how
17 important it was to implement one that covered
18 as the intended one. As well as that she
19 wanted to make certain that we handled the law
20 being written to cover all of those privacy
21 issues. She wanted to cover the fact that
22 Planned Parenthood -- she was not opposed to
23 Planned Parenthood and some of the services
24 that they provide, but she was concerned that
25 with the religious and moral feelings that she

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1 and many have in the country that it was not
2 appropriate to use tax dollars to pay to any
3 organization that covered abortion which was
4 against their religious and spiritual beliefs.
5 Thank you.

6 MR. SCHIFINO: Thank you. Ronald Alvarez
7 and Elaine Alvarez, you'll follow.

8 MR. WARNKE: Hi, there. My name is Tom
9 Warnke. I have lived here in Palm Beach County
10 for 60 years and I'm here to represent Surf
11 Rider Foundation. We're a national
12 environmental organization with 80,000 members,
13 many of those members right here in Florida,
14 and we included attorneys, people from all
15 walks of life that care about what happens to
16 our ocean. We believe that Florida needs an
17 aquifer protection act. Right now we inject
18 partially treated human sewage by way of deep
19 injection wells all over South Florida from
20 Crystal River all the way around to Melbourne
21 Beach. It totals to a billion, with a B, a
22 billion gallons of minimally treated human
23 sewage goes into our deep aquifers every day.
24 And that equates to 3 cubic miles of partially
25 treated human sewage. 3 cubic miles every

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1 year. And we need an aquifer protection act.
2 They've got one in Connecticut. Florida really
3 does need one.

4 I've got a couple of other comments here
5 and also a personal plea. We need a dedicated
6 fund for land set aside for conservation
7 purposes. We did that a couple of years ago.
8 The legislature diverted most of the money.
9 Please, we need a dedicated fund. There's 700
10 million gallons -- excuse me -- \$700 million
11 per year that can go to that. And we really
12 need it to go to purchase of conservation land.
13 We also need to take -- have Florida take the
14 lead in eliminating dark money from politics.
15 We need Florida to take the lead in single
16 payor healthcare. We need Florida to take the
17 lead and dedicate land south of the lake for
18 storage and filtration. And please, have the
19 legislature instruct the governor and
20 themselves to admit the climate change and sea
21 level rise is real, and deal with it at a --

22 MR. SCHIFINO: Thank you very much.

23 MR. WARNKE: -- state level in
24 Tallahassee.

25 MR. SCHIFINO: Thank you.

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1 MR. MARTIN: My name is Drew Martin and
2 I'm a member of the CR Club and I am here on my
3 own behalf, but I am a volunteer with the CR
4 Club. I am very concerned about the
5 environment. I think that the Amendment 1
6 money that was intended for the environment
7 that the Constitution should enshrine that
8 money to be used for land purchases like
9 Florida Forever. And I think that the
10 Constitution needs to protect the environment.
11 I think protection of the Everglades and
12 restoration of the Everglades should be
13 enshrined in the Florida Constitution. I think
14 that protection of animals through the Fish and
15 Wildlife Commission should be enshrined in the
16 Constitution. I believe that the environment
17 is an important part of Florida and that it
18 should be part of the Florida Constitution, the
19 protection for the environment. I believe in
20 the separation of church and state as enshrined
21 in the Constitution. I think it's important
22 that no religious beliefs are enshrined in the
23 government that violates the protection of
24 separation of church and state. I think
25 people's personal opinions and religious

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1 opinions are accepted and we respect that, but
2 in the Constitution that should be separated.
3 The right of privacy should extend to the right
4 of woman to make choices about their own body.
5 I don't believe that it is fair for one group
6 to force their religious beliefs on another.
7 And if we go back to the establishment of the
8 United States, we will see that the
9 enlightenment played an important role in the
10 thinking of those who wrote the initial
11 Constitution that they believe in a strong of
12 separation of church and state that people came
13 here to represent and be able to practice their
14 religious beliefs without being violated. And
15 I think that forcing them if you get a sonogram
16 prior to a medical procedure is a violation of
17 those women's privacy and that that violates
18 the Constitution. So I hope you will keep
19 strong -- the Constitution strong in its
20 protection of rights of all citizens including
21 women.

22 MR. SCHIFINO: Thank you. Marsha
23 Musgrove, Rafael Tuburan, and Frederick Ford,
24 you will follow. Thank you.

25 MR. ALVAREZ: Yeah, I'm Ron Alvarez. Good
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1 morning. I'm a member of the League of Women
2 Voters for Palm Beach County, and also I'm a
3 retired circuit court judge. And I'm here to
4 talk to you and ask you about something you
5 haven't heard about all day, and that's kids
6 that have been arrested. When a kid is
7 arrested -- and most of the kids that are
8 arrested are kids of color. And I served 15
9 years in juvenile division. When they're
10 arrested, they are susceptible to being filed
11 not in the juvenile court, but in the adult
12 criminal court. And the total discretion lies
13 with the state attorney's office. And there is
14 a statute on the books that gives the state
15 attorney the discretion to file the child
16 either in the juvenile court or the adult
17 court. But statute essentially says, you know
18 what, state attorney? Why don't you tell us
19 what your criteria will be for filing a kid in
20 adult court? That is not the way the law is
21 supposed to be. The prosecutors need
22 discretion, but they need direction. When the
23 judges had that power, we had 12 criteria that
24 we had to meet in order to send a kid to adult
25 court.

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1 The second subject, and one near and dear
2 to my heart as a retired circuit judge, in 1954
3 amendment there was a constitutional amendment
4 that made the mandatory retirement age for a
5 judge 70. I'm not going to be cute or
6 whatever, but times have changed and now it's
7 time to revisit what is the age, if any age,
8 that a judge should retire. Thank you so much.

9 MR. SCHIFINO: Thank you.

10 MS. ALVAREZ: Good afternoon and welcome,
11 chair and members of the commission, and thank
12 you for your public service. It is -- I've
13 watched you closely. You're all paying
14 attention to all of the speakers and I commend
15 you for that. My name is Elaine Webb Alvarez
16 and my point of introduction for about almost
17 40 years, I've been a volunteer advocate for
18 children in Florida. I've served on many state
19 commissions, many district counsels and
20 commissions, and in county commissions. I have
21 been helpful in helping to create and
22 re-authorize a number of the children's
23 services counsels throughout the state,
24 including Palm Beach Counties which won
25 re-authorization in 2014 by 86 percent of the
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1 voters in a general election in November. But
2 I would like to speak to you also about
3 juvenile justice, but with a different topic
4 than Judge Alvarez addressed, and that would be
5 through Article 1, Section 15. I would suggest
6 a minor addition, an amendment to that. That's
7 a very simple paragraph be -- very simple
8 statement: A child found delinquent shall be
9 disciplined as provided by law. I would argue
10 and passionately request that you add a
11 statement to that and add to that sentence that
12 it should be -- that that it be -- that the
13 discipline should be -- have an emphasis on
14 prevention and diversion -- oh, I know why. I
15 don't have my reading glasses on. That's my
16 problem. Excuse me just a minute here. Much
17 better. Thank you. I hope none of you have
18 that problem. That a child found delinquent
19 shall by disciplined as provided by law. Let's
20 add to that with an emphasis on prevention and
21 diversion, on civil citation and
22 rehabilitation, and other alternatives to
23 incarceration with the recognition of the
24 special concerns of children and their
25 families. Now, what is my rationale and why do

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1 I ask you to consider that? I --

2 MR. SCHIFINO: Thank you very much.

3 Jessica Garafola and Terrie Rizzo will be up
4 next.

5 MS. MUSGROVE: Thank you. My name is
6 Martha Musgrove and I'm here to represent the
7 Florida Wildlife Federation. I sit on the
8 board of the federation. We would -- I can
9 tell you that we would fully support what Mr.
10 Wickstrom mentioned about the net ban and that
11 we have litigation pending against the
12 legislature on how the implementation of the
13 land and water legacy amendment, formally known
14 as Amendment 1 that is being -- is being
15 implemented. But today I would like to make a
16 plea that the -- this commission recommend and
17 maintain the Florida Fish and Wildlife
18 Conservation Commission as an independent
19 constitutional agency. It has been throughout
20 its life -- its prior life as the Fish and Game
21 Commission. The independence is important to
22 have accountability and that accountability
23 comes from the appointment; the governor
24 appoints this commission. But then after that,
25 there is also a legislative process for the
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1 here to speak today about healthcare. All
2 advance nations in this world recognize
3 healthcare as a human right. And they provide
4 through -- government services ensure that
5 everyone in the country can obtain affordable
6 access to healthcare. The United States is the
7 only advance nation that does not. The
8 Affordable Care Act expanded healthcare
9 coverage, but it doesn't go far enough. 30
10 million people are still uncovered.
11 Approximately 3 million here in Florida do not
12 have health insurance. And our congress in
13 Washington seems incapable of agreeing on any
14 fundamental change to our healthcare system.
15 Principally because they're publically --
16 they're mostly owned by the health insurance
17 and pharmaceutical companies. I believe the
18 state should take the lead by establishing
19 healthcare as a right of its citizens.
20 Therefore, I would propose that you add to the
21 Constitution a section under Article 1 of the
22 right to healthcare stating essentially the
23 following: Healthcare including care to
24 prevent injury, illness is the right of all
25 citizens in the State of Florida and necessary

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1 to ensure the strength of the nation and the
2 state. All citizens of the state shall enjoy
3 the right to comprehensive healthcare services
4 from a healthcare provider of each person's
5 choice. Further, the legislature shall be
6 required, required to implement this article by
7 appropriate legislation creating a non-profit
8 single payor, state health insurance system.
9 The single payor system is the easiest to
10 administer as the least amount of
11 administrative overhead.

12 MR. SCHIFINO: Thank you.

13 MR. FORD: -- reduces costs and offers
14 coverage. I will be submitting to you this
15 in -- formally --

16 MR. SCHIFINO: Kirk Wolak, you will be up
17 next. Go ahead.

18 MR. TUBURAN: Good morning. My name is
19 Rafael Tuburan. Do you believe that the
20 Florida government should run efficiently and
21 save citizen's time and money? Do you believe
22 that we in Florida have technology equal to
23 that which is available in the rest of the
24 world, pulling places like Australia and
25 Europe? Do you believe that the officials that
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1 represent Florida in Washington D.C., in
2 Tallahassee should have the backing of a
3 majority of Florida voters; majority equals 50
4 percent plus 1? If you agree to those
5 statements, then perhaps you'll agree with me
6 that the State of Florida Constitution should
7 provide for instant run off voting which will
8 assure that we will have majority rule in
9 Florida. For further details you can go to
10 fair vote, that's F-A-I-R, vote dot O-R-G. My
11 final comment, eternal vigilance is the price
12 of liberty. Thank you.

13 MR. SCHIFINO: Thank you.

14 MS. GARAFOLA: Hello, commission. My name
15 is Jessica Garafola and I have a master in
16 health administration student here at FAU. And
17 I'm a resident of Broward County. In that
18 respect, I'm grateful for many who mentioned
19 single payor healthcare today. That would save
20 us billions, hundreds of billions of dollars
21 here. I'm also a scientist. While I'm
22 completing my undergraduate in biology -- FAU's
23 honors college, and I'm agreeing with the over
24 90 percent of climatologists who agree of --
25 climate change. I hail from Connecticut where

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1 we preserve our aquifer. Fracking as currently
2 practiced across the United States poses
3 serious risks to the health and safety of our
4 communities and the environment. Water
5 supplies across the country have been
6 contaminated in fracking -- cases either by
7 natural gas, by -- wells and into underground
8 aquifers, or by any number of the --
9 products -- from the fracking process.
10 Fracking was made exempt from the Safe Water
11 Drinking Act by a piece of energy legislation
12 passed by congress called the Energy Policy Act
13 of 2005. My state senator, Gary Farmer, has
14 proposed a constitutional amendment, Article
15 10, Section 30, to ban fracking on -- by law
16 figures of major parties. In South Florida,
17 Miami-Dade and Broward Counties, banned
18 fracking last year while Palm Beach County,
19 here, has come out in support of a statewide
20 ban. Paul Hawken is a Californian civil rights
21 activist, environmentalist, businessman, and
22 author, and in his words: We are stealing the
23 future, selling it to the present, and calling
24 it GDP. As a youth citizen who deeply cares
25 about actual science. And by actual science I

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1 mean the fact that humidity is heading into a
2 six mass distinction that threatens our
3 survival as a species. Climate change via
4 hydraulic fracturing poses a dire threat. I
5 ask for your support for a ban on fracking for
6 the sake of all citizens drinking water and all
7 future generations. To echo the cries of the
8 indigenous people of the Dakotas: Mni [SIC]
9 Wiconi [SIC], water is life.

10 MR. SCHIFINO: Thank you. Bonnie
11 Miodueleoski, Chuck Ridley, and Jennifer
12 Hudson. --

13 MS. RIZZO: Good morning -- or good
14 afternoon I should say. I'm Terrie Rizzo,
15 chair of the Palm Beach County Democratic
16 Party. And thank you for holding these
17 hearings and thank you for giving me the
18 opportunity to speak. I'm here on behalf of
19 the party in support of the restoration of
20 voting rights for former felons who were
21 previously convicted of non-violent offenses.
22 As you've heard eloquently from a number of
23 speakers previously. You know that Florida
24 leads the nation in former felons who have lost
25 their right to vote. You know that we have 1.5

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1 million people who -- who have lost their to
2 vote virtually permanently because of the
3 current circumstances. And you know that there
4 are -- we are one of only three states that
5 currently do not allow -- do not grant former
6 felons their right to vote automatically upon
7 completion of their sentences. We are in
8 support of the restoration of voting rights.
9 In addition to the facts already eloquently
10 presented previously, I want to emphasize that
11 rights restoration for former felons has a
12 positive effect on society. The University of
13 South Florida professor emeritus Susan Greenbom
14 (phonetic) has found that recidivism rates
15 declined substantially for former felons who
16 have received their vote again. Not only do
17 they become good citizens, that saves the tax
18 payers money -- over a billion currently put
19 into prisons in the State of Florida. If you
20 can if the imagine if the recidivism rate were
21 to go down, that would reduce the cost of
22 Florida tax payers. This is substantially
23 important.

24 Finally, on another matter, I would like
25 to emphasize the statements -- concerning the

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1 committee itself previously made by Wilkenson,
2 the League of Women Voters of Palm Beach
3 County, Cynthia Busch of Broward County, and
4 Pam Goodman from the League of Women Voters
5 concerning openness and transparency in
6 meetings. And in particular in -- there's one
7 thing that I'd like to mention, in your
8 proposed rules you allow committees to kill
9 proposals by committees. In 1997, 1998
10 committees only made recommendations which were
11 then voted upon by the full commission, and I
12 would like to urge that that be done again.
13 It's very, very important --

14 MR. SCHIFINO: Thank you very much.

15 MS. RIZZO: -- to make decisions by a full
16 committee that would go on the ballot. Thank
17 you very much for your time.

18 MR. SCHIFINO: Thank you very much.
19 Excuse me, is Bonnie Miodueleoski here, Chuck
20 Ridley, or Jennifer Hudson? Call up Robert
21 Hudson, Anand Perala, and Diana Davis.

22 MR. WOLAK: Hello, I'm Kirk Wolak, a
23 husband, a father, a citizen, and a small
24 business owner. I'm taking the day off of work
25 so I can be here. I beg you to support

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1 e-verify. Without it we are a magnet for
2 illegals and identity theft, but even worse,
3 you don't realize the competition we face. If
4 my competitors use illegal, they profit, and
5 then they grow bigger, and I have to compete
6 even harder. So what it does is it makes the
7 honest people start looking at becoming
8 dishonest. And that's -- it's horrible. So
9 please, address that issue.

10 On Article 1, Section 23, I agree,
11 activist judges ruined this. I'd like to
12 propose a death penalty for activist judges, or
13 at least a way to remove them. I'm tired of
14 it.

15 Anyways, you guys pass the laws. They
16 need to actually rule on the law, not what they
17 believe the law might be. Felons must pay all
18 retributions including financial before getting
19 their voting rights back, but I don't think it
20 should take 50 years. All right. We should
21 not limit -- or we should limit political
22 contributions to only the people who are
23 eligible to actually cast a vote for the
24 person. If you can't vote for the person, why
25 should you be able to give them a half a

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1 billion dollars? Anyways, we need to make
2 illegal sanctuary cities an unlawful practice.
3 We have laws for a reason. If you're not going
4 to enforce them, you're being lawless by
5 definition. Susan Buchas (phonetic) stood up
6 here, she wants more voters. She already has
7 more registered voters in this county than are
8 actually eligible voters in this county. When
9 provided a list of voters who would potentially
10 be voting twice in the election because it
11 looked as though they voted in New York and in
12 Florida in the primary, she did nothing. All
13 right. This is very angry. We have people who
14 are in power who aren't even doing their jobs
15 standing here wanting more. We have 87,000
16 people in the State of Florida who are active
17 and able to vote in the State of New York,
18 okay. We sent thousands of these -- they don't
19 even respond. We're having the --

20 MR. SCHIFINO: Thank you very much. Is
21 Bonnie Miodueleoski here? Chuck Ridely,
22 Jennifer Hudson, Robert -- Robert Hudson, Anand
23 Perala, Diana Davis.

24 MS. DAVIS: Diana Davis.

25 MR. SCHIFINO: Diana Davis. Excuse me.
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1 Justine Scott, Jeffrey Coltman-Cormier, and Ken
2 Horkavy. Let's please all respect everyone's
3 opportunity to speak their piece. Thank you.

4 MS. DAVIS: Hi, I'm Diana Davis. I'm an
5 attorney. I live in in Juno Beach in Palm
6 Beach County and I appreciate the commissioners
7 being here and taking public comment. The
8 Florida Constitution a statement of our shared
9 values. Florida voters have always placed a
10 high value on protecting our natural resources.
11 I urge the commission to consider accepting
12 proposals that acquire and restore lands
13 necessary to protect our groundwater, our
14 drinking water sources, and protect the water
15 quality of our oceans, rivers, lakes, and
16 streams. Land conservation also provides
17 habitat for wildlife and creates recreational
18 opportunities for residents and -- alike.
19 Protecting clean water sustains our growing
20 population. In Florida the groundwater, the
21 rivers, lakes, and springs are held by the
22 state for all citizens. I urge the commission
23 to accept proposals -- that bolster protection
24 for our rivers, lakes, and streams recognize
25 that our way of life in Florida depends on

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1 clean water. I support the previous speakers
2 comments on requiring the trust funds to be
3 used for their intended purposes. I also
4 support previous speakers that urge the
5 commission to maintain their processes in the
6 sunshine and extend the public and opportunity
7 to comment on any proposals that are being
8 considered. Thank you for your time.

9 MR. SCHIFINO: Thank you. Anne Gannon,
10 Carmen Flores, and Corey Smith. Go ahead.

11 MR. COLTMAN-CORMIER: Hello. My name is
12 Jeffrey Coltman-Cormier and I would just like
13 to reiterate a number of points that have been
14 made today. First of all, I would like to
15 remind the commission of the important aspect
16 of American politics of the separation between
17 church and state. Second, I do believe that in
18 order for this commission to best engage in --
19 democratic practice, the events such as these
20 needs to be timed in accordance with working
21 people who are unable to attend this when it is
22 on -- done on a Friday morning.

23 My overall point that I would like to make
24 relates to the many issues already discussed
25 today. We are concerned about possible

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1 influences that can be brought to bear on
2 elected officials who are on this commission.
3 While your ethical provide that commission
4 members cannot take anything of value from
5 someone lobbying an issue, there is an
6 exception for campaign contributions. So that
7 means legislators and other elected officials
8 might be tempted to vote on issues based on
9 whether their votes will yield campaign
10 contributions. That is why this is supposed to
11 be a citizen's commission. Your ethical rules
12 should be changed so that legislators or other
13 elected officials cannot take campaign
14 contributions from any person or organization
15 lobbying an issue before the CRC. Thank you.

16 MR. SCHIFINO: Thank you.

17 MR. HORKAVY: Hello. My name is Ken
18 Horkavy. Thank you all for being here today.
19 I am concerned about sea level rise. The
20 science is clear that the increase in world
21 temperatures is causing the oceans to rise
22 around the world. This is not an opinion but a
23 fact proven by well respected scientists from
24 all parts of the globe. Our political leaders
25 continue to deny the proven science. We need

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1 to take action today in order to protect our
2 land and lives in Florida. The people of the
3 State of Florida want the opportunity to vote
4 for a ballot proposals that mandates the state
5 counties and municipalities immediately develop
6 a comprehensive plan to protect our land,
7 natural resources, economy, and our residents.

8 In addition I would like to state I
9 strongly support a complete ban on fracking.
10 Encourage solar. We are the sunshine state.
11 It makes no sense that we do not have solar on
12 every building, commercial and residential.
13 Fair districting by zip code I think is
14 essential. I think that public schools need to
15 be funded fully for the public good. Single
16 payor healthcare I think is a natural evolution
17 of our society. And Amendment 1 funding, the
18 way it should be, that we should be buying land
19 to protect our aquifers, our water, and our
20 environment. Thank you very much for your time
21 today.

22 MR. SCHIFINO: Thank you. Is Justine
23 Scott here? Justine Scott. Go ahead.

24 MS. GANNON: Good afternoon, my name is
25 Anne Gannon. I am a former member of the house
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1 of representatives and I currently serve as
2 Palm Beach County's tax collector, but I'm not
3 here to ask you for money. I'm actually here
4 to talk about the privacy amendment. As a long
5 time advocate working to ensure that women have
6 access to all facets to reproductive health
7 issues. I can tell you that the 1980 amendment
8 to the Constitution, the privacy amendment,
9 was -- would keep government from wire tapping
10 and collecting personal, financial, and medical
11 information. And there was also discussion at
12 that time of ensuring that a gay or lesbian's
13 personal life was not something that would be
14 in the public and that would be private. In
15 1989 I was lobbying for a number of advocacy
16 groups when the supreme court issued a case
17 called Enray-2W [SIC] which guaranteed a
18 woman's right to privacy and a minor's right to
19 privacy in this state. As you must know, the
20 minor's right to privacy was actually a
21 controversial issues and after many attempts
22 the Florida legislature actually implemented a
23 parental notice bill which alleviated some of
24 those concerns. And I will tell you that in
25 the last couple of years the NRA has used this
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1 privacy amendment to ensure that gun license
2 ownerships are exempt from public. And that
3 also the bill that was passed by the Florida
4 legislature that would require a doctor to ask
5 a young person was there a gun in their family
6 and how it was used. This was also used in the
7 challenges to that. So our laws work, our
8 Constitution works, and you can see it. You
9 can't carve out privacy for what you like and
10 what you don't. Privacy is about keeping the
11 government out of your life.

12 MR. SCHIFINO: Thank you very much.

13 MS. GANNON: Thank you.

14 MR. SCHIFINO: Thank you. Kathy Gundlach,
15 Joan Williams, and Jocelyn Schnier, you're up
16 next.

17 MR. SMITH: Good afternoon, commission.
18 My name is Corey Smith and I'm a local attorney
19 here in Palm Beach County. I -- I come before
20 you today to start off by quoting a great
21 actor, James Baldwin. Once upon a time he
22 said: I can't hear what you say because I see
23 what you do. And I'm here to talk about
24 Article 6, Section 4 where we completely ignore
25 the tenants of our society where we say we're a
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1 free society and we have liberty, but we
2 disqualify people who have served their time
3 and paid their debt to society from
4 participating in the most fundamental right
5 that one could have, and that's a right to have
6 a say in the laws which govern. I did -- I was
7 a public defender for about 40 years here in
8 Palm Beach County and I can tell you on the
9 ground that it's very easy to become a felon if
10 you're poor or if you're minority. You get a
11 speeding ticket. You make a choice to either
12 eat, pay your ticket, or get your medicine.
13 The ticket becomes the last -- the last in line
14 in terms of -- what's important. Guess what?
15 You get a ticket for driving with a suspended
16 license. That happens three times within five
17 years, guess what? You become a convicted
18 felon. I have seen on the ground where people
19 have come into court, can't pay their tickets,
20 can't pay their fines, and they become felons.
21 Why? Because they take a deal to avoid jail
22 time as opposed to trying to pay their tickets.
23 So, you know, it's very easy to become a felon.
24 And once you get out of jail, you can't vote.
25 What kind of society are we where we say

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1 that -- you're right, we completely marginalize
2 people. And again, it's a -- well, not again.
3 The disenfranchising of felons goes all the way
4 back to slavery. Let's bring Florida to the
5 21st Century. Let's eliminate this vestige of
6 slavery where we eliminate people from the
7 option to vote or the right to vote. That's
8 all I have.

9 MR. SCHIFINO: Thank you very much. Is
10 Carmen Flores here? Carmen Flores?

11 MS. GUNDLACH: I'm Dr. Kathy Gundlach.
12 I'm president of Palm Beach County Classroom
13 Teacher's Association and I'm speaking as a
14 proud citizen of Palm Beach County. One of the
15 paramount duties of the State of Florida is to
16 accurately fund education. We are not doing
17 that. And I'm asking you today to put some
18 teeth into the Constitution about what must be
19 done to adequately fund education. Currently
20 when I did the research for my speech, which
21 I'm not going to do the whole thing, we were
22 rated either 41st or 44th in the nation. That
23 is terrible. That is a slap in the face to our
24 children and our children's children. You need
25 to strengthen the requirement in the

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1 Constitution of -- provisions for public
2 education. We also have to look at traditional
3 public education because with the
4 proliferation -- big word -- of charter schools
5 vouchers, we have taken money from the
6 public -- the traditional public school system
7 and not provide an adequate support. Those
8 other schools do not have the same uniform
9 standards and requirements. Our teachers work
10 extremely hard every year, and I can brag on
11 them. We are in the top of the high schools in
12 the nation. Palm Beach County itself has four
13 high schools that rank in the top 100 every
14 year. Palm Beach County values public
15 education. We just past a penny sales tax with
16 half of it going to capital. That's the
17 state's job. We passed a quarter mill where we
18 fund operating to have art and music teachers.
19 That's the state's job. Adequately fund public
20 education. Thank you.

21 MR. SCHIFINO: Thank you very much. Dohn
22 Laduer (phonetic), Candire Marschlle, and Todd
23 Bonlarron. Is Joan Williams here? Okay -- or
24 Jocelyn Schnier. Joan Williams, Jocelyn
25 Schnier, Dohn Laduer, 990 Northwest 10th
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1 Street. Candire Marschlle at 9640 Northwest
2 243rd Place. Todd Bonlarron. Todd. And if we
3 could have Laurie Conlon, and Jeff Allen, and
4 Cheyenne Boddie.

5 MR. BONLARRON: Thank you, commissioners.
6 Tom Bonlarron, assistant county administrator
7 for Palm Beach County. First, I'd like to
8 thank all of you for deciding to come to Palm
9 Beach County to participate with us and listen
10 to some of the passion that our community has
11 for so many issues. And as you travel the
12 state you're going to notice that there's a lot
13 of faces in a lot of different places. And as
14 you deliberate, many of the issues on this
15 board, you're going to realize that you all
16 have different ideas sometimes about how to
17 solve some of Florida's challenges. Well, we
18 at the local level, we have some different
19 ideas too. And around the state you're going
20 to notice that people in South Florida are
21 different from those on the west coast and from
22 the pan handle about how we deal with some of
23 our issues. The 1968 Constitution provided
24 that local governments and our constituencies,
25 our residents have that ability locally to have

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1 that home rule authority to make those
2 decisions that best meet the needs of their
3 local community. We ask you all to exercise
4 restraint when you're seeing issues before you
5 that would erode that home rule authority that
6 we've been granted under the Constitution and
7 subsequent protections in the area of unfunded
8 mandates in making sure that those aren't
9 passed on to our local communities. We thank
10 you for your service. I also wanted to
11 specially thank Commissioner Jordan, one of our
12 Palm Beach County residents for her service on
13 there. We appreciate everything that you're
14 going to be doing and the time that you're
15 putting into this effort. Thank you.

16 MR. SCHIFINO: Thank you. Irwin Circus
17 and Lynne Warslaw.

18 MS. CONLON: Hi, my name is Laurie Prim
19 Conlon. I'm from Stewart, Martin County and
20 I'm a mother and chiropractic physician and I
21 really had to turn my whole morning upside down
22 this morning to be here, so I stand with other
23 speakers when I encourage you to make this
24 great process available and accessible to more
25 people. I'm here today because I stand with
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1 Planned Parenthood and Resolve National
2 Infertility Association. It took me a lot of
3 medical treatment to have my 2 children who are
4 now 10 and 5 and caring, loving, beautiful
5 children, and infertility does not have voice
6 that other parts of reproductive health do and
7 I stand here because I support all reproductive
8 rights, all reproductive health, all
9 reproductive justice. I'm here to support the
10 freedom of every person to build their family
11 in the way that is best for each of them. I'm
12 here to voice my opposition to discrimination
13 in any form including LGBT human beings. I am
14 here today because this is a democratic process
15 for which I am very grateful. And I want the
16 Florida Constitution to represent democracy and
17 freedom indivisibly with liberty and justice
18 for all people.

19 I have 42 seconds left, so that was all I
20 was going to say, but I'm going to use my 42
21 seconds then to say that I concur with the
22 earlier speakers regarding -- I am in support
23 of separation of church and state. I support
24 universal healthcare, that basic healthcare is
25 a right that we need. And I support not

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1 defunding public schools in order to provide
2 vouchers to public funding and -- of our
3 students. Our children deserve good public
4 education. Both my children go to -- well, one
5 actually goes to a private preschool and it's
6 wonderful and one goes to a public elementary
7 school where are the teachers are phenomenal
8 and he's getting excellent education that I
9 want for all of our children. Thank you so
10 much for your time.

11 MR. SCHIFINO: Thank you very much. Jeff
12 Allen, Cheyenne Boddie.

13 MS. WARSHAW: I'm Lynne.

14 MR. SCHIFINO: Pardon? What's your name,
15 please?

16 MS. WARSHAW: Lynne, Lynne Warshaw.

17 MR. SCHIFINO: Okay. Is Irwin Circus
18 here? And we also have Cynthia Wheele, Allen
19 Marvelson, and Michelle Anger. Go ahead,
20 please.

21 MS. WARSHAW: Okay. These are just ideas
22 that I have -- okay, so just bear with me.

23 MR. SCHIFINO: Sure.

24 MS. WARSHAW: Okay. Please ensure Florida
25 protects its citizens by requiring all parties
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1 to a contract to see the fully executed copy of
2 same. I was financially exploited while
3 experiencing intense grief and given document
4 misrepresented as an authorization what was in
5 fact a contract never provided with a copy of
6 same. Mortgage contracts must be examined for
7 language that is unconstitutional where signers
8 do process rights are not protected. Florida
9 Courts are and have -- routinely failed to
10 adhere strictly to rules of civil procedure and
11 evidence resulting in homelessness and -- and
12 desertion of one's pets as a direct result of
13 foreclosures brought by entities having no
14 direct connection and/or entitlement to enforce
15 same. Florida's land records are filled with
16 documents that are generated in bulk by
17 entities not related to the loan documents and
18 were not legitimate. Personally there is a
19 document in the land records that is simply not
20 legitimate. How do I know this? I know this
21 because I have them in my possession. To this
22 day the original document that has not yet been
23 executed by me. The clerk informed me the only
24 way to replace the inaccurate document with the
25 accurate is by way of a court order. Does that

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1 sound like I should have to go to a court
2 proceeding to get that done? Legal title of
3 homes once owned by Florida families has
4 transferred to entities having no connection to
5 the originating lender and/or funder. Examples
6 include property -- a property taken for a mere
7 \$600 and flipped three to four months later for
8 \$70,000 while the family is now probably
9 homeless and their pets are left behind.
10 Contracts -- homes and mortgages are also
11 predatory to Florida's citizens. For example,
12 FHA HUD loans exist with the signature of a
13 borrower, but contracts with the HUD do not
14 include the borrower. As a result dual
15 tracking occurs --

16 MR. SCHIFINO: Ma'am, thank you very much.
17 Cynthia Wheele, Alan Marvelson.

18 AUDIENCE: Thank you. Thank you for being
19 here.

20 MS. WHEELLE: Hello. My name is Cynthia
21 Wheele. On June 12th, 2014 Supreme Court
22 Justice -- Luis wrote the -- pursuant to the
23 request, the entire court considers the
24 substance of your recent letter to me doing a
25 formal court conference. The issues has far

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1 reaching ramifications including the
2 substantial, financial impact. I was able to
3 secure a favorable vote of a majority of the
4 court to consider the issue of court reporting.
5 I ask that all family hearings be recorded, and
6 I would like that all civil hearings be
7 recorded because a great percentage of civil
8 hearings are child support under title 4(d) are
9 recorded. There are 139,000 notes here with
10 recording, but a person paying \$301 to bring
11 child support, \$401 to prevent -- divorce --
12 contempt of court are not allowed things that
13 actually bring money into the court system.
14 And Florida Supreme Court holds that
15 transcripts are the -- of appellate court. You
16 can't appeal a decision without a court order.
17 \$73,000, that's the amount of the judicial
18 error would have cost me. I was fortunate and
19 I paid \$300 to appear in court that has the
20 ability to record audio and video in Palm Beach
21 County, but judges -- declined to -- they
22 declined to record. Why? It doesn't cost any
23 money and the infrastructure is already there.
24 And we need to have civil hearings recorded
25 because we are actually bringing money, we

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1 years -- up here. I'm an intelligence officer,
2 chairman at Jacksonville Hospital, and
3 president of -- services. I'm here because I
4 felt it was important -- I believe what you're
5 doing is more important frankly. I came here
6 to talk about transportation. I don't have
7 time to really go into it, but the State of
8 Texas solved a big part of their problem by
9 enforcing the law. Basically if you don't use
10 your turn signals you're pulled over. They
11 escalated the fines to a point where bad
12 drivers permanently were barred from driving
13 anymore. In this state -- man killed a student
14 a couple of years ago on US-1 at University of
15 Florida had 23 DUIs and was still driving a
16 car. This is ridiculous. I have a revenue
17 neutral way of using fines to get the bad
18 drivers off the road and I believe as Texas
19 found out 25 percent of the cars on the road
20 are no longer on the road, and that's a lot
21 cheaper than building new highways.

22 As far as healthcare as commissioners you
23 know July 1st the games over. They can't
24 keep -- anymore. Obama Care is going to take
25 \$200 million out of Jackson Hospital. The

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1 legislature is going to add to that by taking
2 another 40 million, power up to 40 million --
3 excuse me -- 40 million in addition to that.
4 There's no way Jackson can survive without
5 300,000 people who no longer -- their
6 healthcare at the ER and they're going to come
7 to see you folks up here in Palm Beach County.
8 Watch out.

9 MR. SCHIFINO: Thank you very much. Do we
10 have Teisha McKoy, Joan Karp, or Diane Rice?
11 Okay. You're up.

12 MS. ANGER: Thank you. Or shall I say,
13 merci [SIC].

14 MR. SCHIFINO: What's your name, please?

15 MS. ANGER: -- Michele Anger.

16 COURT REPORTER: What was your name,
17 ma'am?

18 MS. ANGER: Michele Anger. Would you like
19 me to spell it?

20 COURT REPORTER: They have it. Thank you
21 though.

22 MS. ANGER: They do. I pay taxes.
23 Somebody here said -- okay. Thank you so much.
24 Merci [SIC]. Thank you for being. Thank you
25 for being you and for the entire audience. I

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1 love you. Thank you for showing up and let me
2 say you have so well represented the interest
3 of the people. Let me just say, I have a lot
4 of notes here. I stayed up all last night
5 because I was thinking and writing and I
6 couldn't even get on one piece of paper all the
7 issues that are important to me and important
8 to you. I'm very pleased to see so many people
9 show up on both sides of the aisle. I am a
10 change agent. That's what my corporation does.
11 We are all agents of change. Together I think
12 we have to demonstrate it. We have to model
13 it. So I'll ask you: Are you being the change
14 that you want in this world? How do we know?
15 Are you demonstrating it? Are you behaving
16 that way? Are you putting your thoughts into
17 your actions? One very old philosophical
18 question --

19 MR. KARLINSKY: Thank you very much for
20 your time, or merci [SIC] I guess I should say.
21 So -- members of the community and
22 commissioners, thank you. We spent an extra
23 hour and heard from -- almost 100 people on --
24 Commissioner Nunez. We are adjourned and thank
25 you. And we'll see you -- some of you in

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1 Tallahassee next week. Thank you.

2 (This concludes the Constitution
3 Revision Commission Public
4 Hearing)

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TRANSCRIPT CERTIFICATE

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

I, JESICA GUTIERREZ, Reporter, certify that I was authorized to and did digitally report the foregoing proceedings and that the transcript is a true and complete record of my digital notes.

DATED this 17th day of May

2017



JESICA MARIA GARCIA GUTIERREZ, REPORTER

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