

# Legislative districts face shake-up at ballot box

Ocala Star Banner  
By Gary Fineout  
Tallahassee bureau

Published: Sunday, November 29, 2009 at 6:30 a.m.  
Last Modified: Saturday, November 28, 2009 at 11:50 p.m.

TALLAHASSEE - Florida voters may get a chance next year to shake up their government, but it won't have anything to do with who they send to the governor's mansion.

Two little-noticed constitutional amendments that could be on the 2010 ballot are so potentially threatening to the status quo that there is already talk of lawsuits, disenfranchisement of minority voters and fears of a Democratic takeover of the GOP-controlled state government.

The push by FairDistrictsFlorida.org seems simple: Require that state lawmakers follow certain standards whenever they change the boundaries of legislative and congressional districts. These new districts should be compact, follow city and county lines if possible, and cannot be drawn in a way to help out incumbents or members of a political party.

Thom Rumberger, a lifelong Republican and chairman of the group, said the current system is rigged so that incumbents are protected and voters have few true choices at the ballot box.

"The system is not working well for the people," Rumberger said. "It doesn't make a hoot in hell if Democrats or Republicans are in control. We don't have a system that reflects one man, one vote."

The group appears to be on track to make the Feb. 1 deadline to get the measures on next year's ballot.

Both have been reviewed by the state Supreme Court, and organizers have turned in nearly 380,000 voter signatures. It takes nearly 677,000 signatures collected from across the state to qualify for the ballot.

A supermajority of voters - 60 percent - would have to vote yes for the amendments to become law.

But the prospect of these two amendments passing already is bringing dire predictions of rounds of litigation and a possible end to certain sprawling districts that were drawn as part of an effort to increase the number of Hispanics and blacks in Congress and the Legislature.

"Injecting a set of new and unknown criteria without precedent is an invitation for litigation," said Miguel De Grandy, a former legislator and attorney from Miami deeply involved in the last two redistricting efforts.

FairDistrictsFlorida.org also has drawn suspicion because while Rumberger and former Republican Comptroller Bob Milligan are involved, so are high-profile Democrats such as former U.S. Sen. Bob Graham.

The group has raised nearly \$2.6 million and a large amount of financial support has come from groups normally aligned with Democrats, including attorneys and unions such as the Florida Education Association. The group also received \$25,000 from Florida ACORN in 2007.

Rumberger scoffs at the notion that he is helping Democrats. He says the criticism comes from those worried about protecting their power.

"I don't care much who funds it," Rumberger said.

And a new academic study by two political science professors concludes that any effort to draw compact contiguous districts actually would favor Republicans as Democrats are concentrated in urban areas.

"It's understandable why there is so much focus on gerrymandering and how we can get rid of political considerations," said Jowei Chen, a University of Michigan professor who studied Florida voting patterns based on the 2000 presidential election. "The bigger issue is that the residents of Florida have sorted themselves geographically in a way that makes it really, really hard for Democrats to win a majority."

Lawmakers are required to redraw the lines for Congress and the state Legislature every 10 years following the latest U.S. Census.

The process has been contentious and messy for more than 50 years in Florida, going back to a time when North Florida lawmakers known as the "Pork Chop Gang" drew the districts in such a way that rural areas had more sway than growing urban centers in South Florida.

In 1978, voters were asked to give control over redistricting to an independent group, but the amendment was rejected. A similar effort earlier this decade was thrown off the ballot by the state Supreme Court, which ruled that the amendment was misleading.

The latest amendments would keep the power to draw new maps in the hands of lawmakers, but would require them to follow certain standards.

And that's just the problem, asserts De Grandy, who filed a redistricting lawsuit in 1992. He said the amendment would force legislators to ignore so-called "communities of interest" or the idea of grouping together, say, beachside communities that run along the coast. He also said it would be difficult for legislators to follow the tenets of the amendment while also following federal voting rights standards.

One of the newest standards is a U.S. Supreme Court ruling from earlier this year that says state legislators do not have to create "crossover minority" districts if the minority population in that district is under 50 percent. There are a number of districts in Florida that could fall under that threshold.

U.S. Reps. Corrine Brown, D-Jacksonville, and Mario Diaz-Balart, R-Miami, wrote a lengthy letter to legislators earlier this month saying they were worried that the passage of the amendment would result in fewer minorities getting elected.