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Common Cause, et al. v. Cord Byrd

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v.)	4:22-cv-109
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Cord Byrd)	
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TRANSCRIPTION OF AUDIO RECORDING
HOUSE STATE LEGISLATIVE
REDISTRICTING SUBCOMMITTEE
JANUARY 21, 2022

DIGITAL EVIDENCE GROUP
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1 JANUARY 21, 2022

2 CHAIRMAN BYRD: The State Legislative
3 Redistricting Subcommittee will come to order.

4 DJ, please call the roll.

5 THE SECRETARY: Chair Byrd?

6 CHAIRMAN BYRD: Here.

7 THE SECRETARY: Vice-Chair Robinson?

8 VICE-CHAIR ROBINSON: Here.

9 THE SECRETARY: Ranking Member Daley?

10 REPRESENTATIVE DALEY: Here.

11 THE SECRETARY: Representative Arrington?

12 REPRESENTATIVE ARRINGTON: Here.

13 THE SECRETARY: Barnaby has been excused.

14 Bell has been excused.

15 Brannan?

16 REPRESENTATIVE BRANNAN: Here.

17 THE SECRETARY: Chambliss?

18 REPRESENTATIVE CHAMBLISS: Here.

19 THE SECRETARY: Garrison?

20 REPRESENTATIVE GARRISON: Here.

21 THE SECRETARY: Hart?

22 REPRESENTATIVE HART: Here.

23 THE SECRETARY: Hawkins?

24 REPRESENTATIVE HAWKINS: Here.

25 THE SECRETARY: Maney?

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1 REPRESENTATIVE MANEY: Here.

2 THE SECRETARY: McClain?

3 REPRESENTATIVE MCCLAIN: Here.

4 THE SECRETARY: Melo?

5 REPRESENTATIVE MELO: Here.

6 THE SECRETARY: Mooney? Persons-Mulicka?

7 REPRESENTATIVE PERSONS-MULICKA: Here.

8 THE SECRETARY: Salzman?

9 REPRESENTATIVE SALZMAN: Always ready.

10 THE SECRETARY: Snyder?

11 REPRESENTATIVE SNYDER: Here.

12 THE SECRETARY: Tant has been excused.

13 Valdes?

14 REPRESENTATIVE VALDES: Present.

15 THE SECRETARY: Woodson?

16 REPRESENTATIVE WOODSON: Here.

17 THE SECRETARY: Ex-officio Clemens? Ex-

18 officio Clemens?

19 Ex-officio Skidmore?

20 REPRESENTATIVE SKIDMORE: Here.

21 THE SECRETARY: A quorum is present,

22 Mr. Chair.

23 CHAIRMAN BYRD: Thank you THE SECRETARY.

24 Members, a few reminders before we begin. Please

25 silence all electronic devices, and if you are here

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1 today to give public testimony, please take time now
2 to fill out an appearance form and turn it into the
3 speaker staff. Also, as a reminder for our members
4 and speakers, please ensure that you turn your
5 microphone on when you are speaking and off when
6 you're finished.

7 Just want to welcome our ex-officio members
8 today, as we have a few members who are under the
9 weather. Keep them in your thoughts.

10 Members, today is an exciting day and not
11 just because it's Friday. We're finally at the
12 point in the redistricting process to review the
13 proposed Committee bill of State House districts.

14 You may feel like I've sounded like a
15 broken record, but education has been extremely
16 important to myself, Chair Leek, Speaker Sprowls,
17 throughout this redistricting process. Out of the
18 120 members of the Florida House, only 5 members
19 were here during the 2020 redistricting cycle, and a
20 couple of those 5 were in the Senate, meaning that
21 115 of the members who were required to take a vote
22 on these maps were completely new to redistricting.

23 Likewise, it was by design that amongst our
24 3 redistricting Committees, we have included a total
25 of 62 members, over 50 percent of the Florida House.

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1 I've been encouraged when I see non-committee
2 members attend our meetings to sit, listen, and
3 learn from staff and council presentations, or when
4 members stop by the Committee suite to ask technical
5 and conceptual questions of myself and staff.

6 I do not take lightly the fact that this is
7 one of the two constitutional responsibilities that
8 the Legislature must undertake, the other being
9 passing a balanced budget, and that the outcomes of
10 this process will guide Floridians for the next
11 decade.

12 I also want to thank this Committee. I
13 appreciate the diligence with which you have abided
14 by our constitutional standards, especially our Tier
15 1 standards that prohibit favoring and disfavoring
16 political parties and incumbents. This process
17 affects each and every one of us. As I'm sure
18 you'll observe today, even the region that I
19 currently represent has proposed a new
20 configuration, and that's okay. It's part of the
21 process. The redistricting process is one where it
22 is tempting to let our personal wishes overtake our
23 constitutional responsibility. And I am proud that
24 this Committee has continually stayed above the fray
25 and focused on completing the task at hand in a

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1 constitutionally compliant manner.

2 For today's Committee meeting, myself and a
3 couple of other members will walk through the
4 proposed Committee bill to explain each region of
5 the state. My goal is to describe how the districts
6 are composed and their statistical highlights so
7 members have an understanding of the proposed
8 district configurations.

9 On a final note, you may have noticed the
10 very lengthy bill text for the State House map was
11 not included in the meeting materials for today's
12 meeting. The bill text reflects the technical
13 census blocks, block groups, and tracked numbers
14 that comprise each different district. These are
15 the exact same districts that are depicted in the
16 printed map before you. However, to save all of our
17 printers and the 322 pages of paper, we've printed a
18 copy of the full bill text for the Committee's
19 viewing, and you can find it right here in front of
20 DJ.

21 Now, I will hand over the gavel to Vice-
22 Chair Robinson.

23 VICE-CHAIR ROBINSON: Members -- I have two
24 gavels now here. It's going to be very tough today.

25 Members, up for consideration is PCB SRS

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1 22-01, joint resolution of apportionment. As a
2 reminder, hold your questions until the end of the
3 PCB presentation. I want to ensure we all have
4 enough time to get through the explanation of the
5 entire state, and no one region is rushed.

6 Chair Byrd, you're recognized to present
7 the PCB.

8 CHAIRMAN BYRD: Thank you, Vice-Chair
9 Robinson.

10 The Florida Legislature is directed to
11 redistrict every 10 years following the decennial
12 census, to account for growing and shifting
13 population in the state.

14 A decade ago, the Florida House maps were
15 deemed valid and constitutional by the Florida
16 Supreme Court, and I'd like to read a quote from the
17 2012 ruling. "A review of the House plan and the
18 record reveals that the House engaged in a
19 consistent and reasoned approach, balancing the Tier
20 2 standards by endeavoring to make districts compact
21 and as nearly equal in population as possible and
22 utilizing political and geographical boundaries
23 where feasible by endeavoring to keep counties and
24 cities together where possible. In addition, the
25 House approached the minority voting precinct

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1 provision by properly undertaking a functional
2 analysis of voting strength in minority districts."

3 As I mentioned earlier, this Committee has
4 undertaken several months of education in order to
5 understand the redistricting process and uphold the
6 high bar that was set for this chamber last decade.
7 This week we released proposed Committee Bill SRS
8 22-01, which proposes State House districts that
9 will be used in election cycles from 2022 through
10 2032. This PCB has been drafted by Committee staff
11 with the advice of legal counsel based on data from
12 the 2020 census and to be in alignment with the
13 Florida Constitution, state and federal law, as well
14 as court precedent. This map can be found on
15 floridareistricting.gov under the plan name H000
16 H8009.

17 Members, I want to make sure that each of
18 you has a map packet in front of you. This contains
19 a printout of the proposed map itself, statewide
20 snapshot of statistics, a functional analysis data
21 for our protected minority districts, a list of
22 county shares of population, a list of city splits,
23 and finally, the boundary analysis report. All of
24 these items will be referenced throughout the
25 presentation today, so please feel free to refer to

1 your packet as needed. This packet is also
2 available on our subcommittee's web page on
3 myfloridahouse.gov.

4 Now, let's dive in. Let's first look at
5 the map as a whole. When compared to the benchmark
6 State House maps, the new proposed State House
7 districts have several points of improvement
8 throughout our Tier 2 standards. When looking at a
9 statewide average of each district's compactness
10 scores, we have been able to improve all three
11 mathematical measurements of compactness. The Reock
12 score improved from 0.43 to 0.45; the Convex whole
13 score improved from 0.80 to 0.83; and the Polsby-
14 Popper score improved from 0.43 to 0.45. And as a
15 reminder, the closer we get to one, the better the
16 score.

17 We're feasible, we also work to improve
18 visual compactness of districts or the eyeball test,
19 such as no longer having a district that stretches
20 from Miami-Dade County to Collier County, or a
21 district that splits four counties in the Tampa Bay
22 region.

23 When looking at the number of county
24 splits, we've kept similar to the benchmark map with
25 30 county splits last decade, and only 31 county

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1 splits this decade. The ideal population for this
2 decade's State House district is 179,485 people.
3 Our overall deviation range is 4.75 percent, which
4 is well within the acceptable legal level of
5 population deviation. Although this deviation
6 increases slightly from last decade's range of 3.97,
7 we are proudly able to vastly improve the number of
8 city splits in our proposed map.

9 In the benchmark map, there were 101 cities
10 split, which is almost 25 percent of Florida's
11 incorporated cities. And in the proposed new
12 configurations, we've been able to decrease that to
13 just 58 city splits, a near 50 percent improvement.
14 Our proposed House districts are also drawn in
15 compliance with Tier 1 of the Florida Constitution.

16 The proposed map is inclusive of 18
17 protected black districts and 12 protected Hispanic
18 districts. All 30 of these protected minority
19 districts have had an individual functional analysis
20 conducted on them to ensure the new district
21 configuration does not deny or abridge the equal
22 opportunity of racial or language minorities to
23 participate in the political process or to diminish
24 their ability to elect representatives of their
25 choice. And as we move throughout the map, I will

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1 highlight these districts as well.

2 All of our districts consist of contiguous
3 territory. And as I'm sure you're aware, the
4 Committee has also implemented safeguards in order
5 to ensure we do not draw districts with the intent
6 to favor or disfavor a political party or an
7 incumbent.

8 Members, as we move through the
9 presentation today, you will see an analysis tool
10 referenced called the boundary analysis. This is a
11 report that is available in our map drawing
12 application and helps to quantify the percentage of
13 Tier 2 compliant boundaries that are used for each
14 district. Similar to compactness scores, this tool
15 is to be viewed in context with the other Tier 2
16 options in the surrounding region. There is no
17 golden threshold to which we look when evaluating
18 each district, but it serves as another way to
19 understand the compliance of what is in front of us.

20 Now that we've looked at the statewide
21 overview, let's begin to review each region of the
22 state. For each region, we've included a quick
23 reference in the PowerPoint to the benchmark
24 district's compactness scores and boundary analysis
25 when compared to the proposed districts. I will not

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1 touch on each data point for today's presentation,
2 but we wanted to provide it for ease of reference.

3 So we'll now begin starting in Northwest
4 Florida with Districts 1 through 4. Four districts
5 able to be kept within three whole counties
6 Escambia, Santa Rosa, and Okaloosa.

7 All municipalities are kept whole in these
8 counties, including Pensacola, which serves as a
9 boundary line for a portion of Districts 1 and 2.

10 District 4 is able to be kept wholly within
11 Okaloosa County using the county line on three sides
12 and then has a bump on the top of the district,
13 similar to the current district in order to keep the
14 City of Crestview wholly within the district and
15 then uses I-10 for the remainder of its northern
16 border. To follow these Tier 2 compliant borders
17 for this district, it becomes 4252 people over the
18 ideal population of a district at 183,737 total
19 population, which is 2.37 percent over. As a
20 result, this district becomes the district with the
21 highest overall population deviation in the map.

22 Districts 5 and 6 are made up of entirely
23 whole counties. District 5 is comprised of Walton
24 Homes, Washington, Jackson, and Calhoun County.

25 District 6 is just Bay County. In order to

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1 keep a district only as Bay County without having to
2 break another county line, this district becomes the
3 district with the lowest population deviation in the
4 map at minus 4269 people under the ideal population
5 at 175,216 total population, which is 2.38 percent
6 under.

7 Districts 4 and 6 create a total deviation
8 range of 4.75 percent, well within the acceptable 10
9 percent range courts have given legislative
10 redistricting plans. This range allows Bay County
11 to remain whole and the city of Crestview to remain
12 whole.

13 As the House did last decade and
14 acknowledged by the Supreme Court, setting the
15 deviation range by balancing the equal population
16 standard with the other standards, such as
17 compactness and following existing political and
18 geographical boundaries, is appropriate and valid.

19 Districts 5 and 6 are both made up entirely
20 of entirely whole counties scoring 100 percent of
21 the boundary analysis following county lines and
22 representing a big improvement from the benchmark.

23 We'll now move over to House Districts 7
24 through 9 further along the panhandle, where there
25 are three districts wholly with 13 counties.

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1 District 8 includes all of Gadsden County,
2 which is the only majority black county in the state
3 and parts of Leon County.

4 District 8 is a performing majority-
5 minority black district protected by Tier 1 of the
6 Florida Constitution and is drawn similar to the
7 benchmark district. The black voting age population
8 in this district decreases slightly compared to the
9 benchmark district but is consistent with respect to
10 Florida Supreme Court precedent to maintain existing
11 majority-minority districts.

12 A functional analysis conducted by staff
13 ensures that the voting strength of the minority
14 group in both general and primary elections does not
15 deny or abridge the equal opportunity of racial or
16 language minorities to participate in the political
17 process or diminish their ability to elect
18 representatives of their choice.

19 Because of boundaries in District 8,
20 Tallahassee is split just like it is in the
21 benchmark map, but in this configuration, it is
22 split into only two districts. To achieve this,
23 unfortunately, it means the splitting of Jefferson
24 County. This is due in large part because Jefferson
25 County's boundaries go from the state line to the

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1 Gulf of Mexico, cutting off the rest of the
2 panhandle from the big bend. This decision is
3 consistent with the methodology and application of
4 the constitutional standards throughout the map, as
5 other cities in similar situations and counties with
6 a protected Tier 1 district are also split only
7 twice, specifically keeping both Gainesville and
8 Ocala split into just two districts, as we will see
9 later.

10 In addition, nearly 90 percent of Jefferson
11 County's total population is in the section within
12 District 9, and the split through the county
13 entirely along US Highway 27.

14 District 7 is made up of the remaining nine
15 whole counties in this county combination, as well
16 as a small part of Leon County not in District 8 or
17 9.

18 District 9 contains all of Madison County
19 in addition to the part of Jefferson County
20 previously mentioned as well as approximately
21 150,000 people in Leon County.

22 In Northeast Florida, there are six
23 districts wholly within the two counties of Nassau
24 and Duval.

25 Districts 13 and 14 are performing black

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1 districts protected by Tier 1 of the Florida
2 Constitution. District 14 is also a majority-
3 minority black district. These districts are
4 located entirely within Duval County, similar to the
5 benchmark districts, but both districts were able to
6 be drawn in a more compact manner. The black voting
7 age population in both districts decreases slightly
8 compared to the benchmark districts but are drawn in
9 a consistent manner with respect to Florida Supreme
10 Court precedent to maintain existing majority-
11 minority districts.

12 A functional analysis conducted by staff
13 ensures that the voting strength of the minority
14 group in both general and primary elections does not
15 deny or abridge the equal opportunity of racial or
16 language minorities to participate in the political
17 process or diminish their ability to elect
18 representatives of their choice.

19 All the districts in this county
20 combination have improved in terms of visual
21 compactness and use of major roadways and waterways.
22 The I-295 Loop, St. Johns River, and Beach Boulevard
23 are some examples of the boundaries used in this
24 area to create District 16.

25 District 17 uses the county line and share

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1 a boundary on Beach Boulevard with District 16 and
2 14. Unlike the current map, no district uses the
3 sharp angle of the Nassau-Duval County line which
4 helps improve the compactness scores -- or
5 compactness of District 15.

6 District 12 in the southern part of Duval
7 County primarily follows the St. Johns and Ortega
8 River along with the Florida East Coast Railway.

9 I'd now like to recognize Representative
10 Brannan to explain the next region of the State.

11 REPRESENTATIVE BRANNAN: Thank you, Chair
12 Byrd.

13 Moving into north central Florida, which
14 includes Districts 10 and 21 through 24, you can see
15 that every county is kept whole except the Alachua
16 and Marion. These are both too big to be kept
17 wholly within a single House district in addition to
18 a Tier 1 protected district. This whole region is
19 an improvement on visual and mathematical
20 compactness compared to the benchmark districts in
21 this area.

22 Every district in this region improves
23 except District 23, which is largely because of the
24 water blocks in Citrus County that are a part of the
25 new census geography in this redistricting cycle.

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1 As we move through the region, every city
2 in Alachua County is kept wholly within a district
3 except Gainesville. All of Gainesville population
4 is included in two districts.

5 The city of Alachua and Gainesville are
6 interlocked. To keep Alachua whole, six unpopulated
7 blocks from Gainesville were included in District
8 10, along with the entirety of four whole counties
9 in Baker, Columbia, Union, and Bradford Counties.
10 Every city in Marion County is kept whole except
11 Ocala, which is only split into two districts
12 similar to the decisions to keep Gainesville and
13 Tallahassee in just two districts as well and
14 consistently apply the application of the standards.

15 District 21 is a performing minority
16 district protected by Tier 1 of the Florida
17 Constitution. This district is located as part of
18 Alachua and Marion County in a similar way to the
19 current benchmark district. The black voting age
20 population in this district decreases slightly
21 compared to the benchmark district, but it is drawn
22 in a manner consistent with Florida's Supreme Court
23 precedent that states slight changes in voting age
24 population is acceptable so long as a functional
25 analysis is conducted to ensure the voting strength

1 of the minority group in both general and primary
2 elections is at a comparable level that existed in
3 the benchmark district. This analysis, conducted by
4 staff, ensures that the proposed district does not
5 deny or abridge the equal opportunity of racial or
6 language minorities to participate in the political
7 process or diminish their ability to elect
8 representatives of their choice.

9 District 24 is kept wholly within Marion
10 County, and the city of Ocala is split between this
11 district and the protected District 21.

12 Now, moving to Districts 11, 18 through 20,
13 and 25 through 30. Let's first take a look at Clay,
14 St. Johns, Putnam, and Flagler counties in
15 Northeastern Florida. The mathematical compactness
16 of this region collectively improved compared to the
17 benchmark mark. Although some districts went up and
18 others may have gone down, the overall benefit to
19 the region is an improvement.

20 District 11 is wholly within Clay County.
21 District 18 is wholly within St. Johns County, and
22 the remaining part of St. Johns County is split into
23 two districts in order to avoid having to either
24 split Putnam or Flagler County. Every municipality
25 in St. Johns County is whole, including St.

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1 Augustine and proposed District 19. Every
2 municipality in St. Johns County is kept whole.

3 As we move down towards central Florida,
4 Districts 25 and 26 are both wholly located in Lake
5 County, and the only municipality that is split is
6 Leesburg between these two districts.

7 Every other Lake County municipality is
8 wholly located within one of the districts wholly
9 within Lake County.

10 Out toward the eastern coast, there are two
11 districts wholly within Volusia County. Every
12 municipality in Volusia County is kept whole except
13 Daytona Beach Shores, which is interlocked with Port
14 Orange. Only 13 people live in this part of the
15 city that is split. In the benchmark, five cities
16 in Volusia County are split. That concludes my
17 presentation.

18 CHAIRMAN BYRD: Thank you, Representative
19 Brannan.

20 I'd now like to recognize Representative
21 Garrison to present the next block of districts.

22 REPRESENTATIVE GARRISON: Thank you, Chair
23 Byrd.

24 Members, let's now move further down the
25 coast and look at Districts 31 through 34. Indian

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1 River County is kept whole, and in order to keep all
2 four districts within the overall population
3 deviation range and still keep these districts in a
4 compact stacked orientation, there are three
5 municipalities that are split. That's Palm Bay,
6 Melbourne, and Titusville. Every other municipality
7 is kept whole in this region.

8 These four districts are similar to the
9 shape of the benchmark, but effort was made to
10 choose boundary lines that are more recognizable
11 rather than census block lines that sometimes travel
12 through certain areas, particularly the barrier
13 island areas that don't follow other geographical
14 features but may provide a slightly better
15 compactness score.

16 As a result, the average boundary analysis
17 score of these four districts improves greatly so
18 that in the proposed map, the average percentage is
19 a district follows something other than a recognized
20 political or geographical boundary is under 10
21 percent. For example, the boundary between
22 Districts 32 and 33 is a major road and that's State
23 Road 192, or municipal lines the entire way across
24 the county. The boundary between Districts 31 and
25 32 is made up of waterways, the municipal lines of

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1 Rockledge and Satellite Beach, as well as the Pineda
2 Causeway.

3 Looking to Districts 35 through 47. The
4 central Florida region is an area of the state along
5 the I-4 corridor that has experienced a lot of
6 population growth over this last decade.
7 Combination of Orange, Osceola, and Seminole
8 Counties are able to fit 13 districts entirely
9 within this three-county combination. Five of those
10 districts are kept wholly within Orange County, two
11 within Seminole County, and one within Osceola.

12 District 40 and 41 are performing districts
13 protected by Tier 1 of the Florida Constitution.
14 These districts are located entirely within Orange
15 County similar to the benchmark districts in the
16 area but were able to be drawn in a more compact
17 manner and does not split the city of Apopka as one
18 of the current districts does.

19 The black voting age population in these
20 districts are effectively the same as the benchmark
21 districts but may decrease slightly and are drawn in
22 a manner consistent with the Florida Supreme Court
23 precedent that states a functional analysis should
24 be conducted to ensure the voting strength of the
25 minority group in both general and primary elections

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1 is at a comparable level that existed in the
2 benchmark district. These analyses conducted by
3 staff ensure that the proposed district does not
4 deny or abridge the equal opportunity of racial or
5 language minorities to participate in the political
6 process or diminish their ability to elect
7 representatives of their choice.

8 Districts 43 and 46 are performing
9 majority-minority Hispanic districts protected by
10 Tier 1 of the Florida Constitution. One district is
11 located entirely within Orange County. The other is
12 entirely within Osceola. The Hispanic voting age
13 population in these districts decreases slightly
14 compared to the benchmark district but is drawn in a
15 manner consistent with respect to Supreme Court
16 precedent to maintain existing majority-minority
17 districts. Functional analysis conducted by staff
18 ensures the voting strength of the minority group in
19 both general and primary elections does not deny or
20 abridge equal opportunity of racial or language
21 minorities to participate in the political process,
22 or in any way diminish their ability to elect
23 representatives of their choice.

24 District 47 is a new performing majority-
25 minority Hispanic district located within Osceola

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1 and a part of Orange County while keeping the city
2 of St. Cloud whole. This district was drawn as a
3 Tier 2 compliant district that happens to be a new
4 performing majority-minority district that is
5 consistent with the Hispanic population growth in
6 this area over the last decade. A functional
7 analysis conducted by staff ensures the voting
8 strength of the minority group in both general and
9 primary elections does not deny or abridge the equal
10 opportunity of racial or language minorities to
11 participate in the political process or diminish
12 their ability to elect representatives of their
13 choice.

14 Throughout Orange County, as many major
15 recognizable roadways are used as possible, while
16 also keeping cities whole that were previously split
17 in the benchmark map such as Apopka. Only one
18 municipality is split in Seminole County and that's
19 Winter Springs. As previously said, St. Cloud in
20 Osceola County is kept entirely whole.

21 District 44 has a significant Hispanic
22 voting age population of just over 43 percent that,
23 although does not perform now, may in the future.
24 And this is a significant Hispanic voting age
25 population within the district that may have some

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1 influence in the electoral performance of the
2 district.

3 District 45 and 44, each Orange County
4 share a border that consists of I-4 for a small part
5 in the southern end of the boundary line but then
6 uses South Apopka Vineland Road for the entirety of
7 the rest of the eastern boundary between these two
8 districts. This is an example of an easily
9 recognizable roadway that was used. It's a four-
10 lane divided roadway that the Census Bureau did not
11 designate as a primary or secondary road. So it
12 does not include in the roadway portion of the
13 boundary analysis score, but is still a good
14 boundary to use in this region.

15 Looking at Districts 48 through 51, take a
16 look at Polk County. Much like the ability to keep
17 Bay County whole in a single district, Polk was
18 identified as a possible county where four districts
19 could be kept entirely within the county without any
20 other district crossing the county lines, and this
21 is accomplished in this map. This is considerably
22 different than in the benchmark, where Polk County
23 had two districts and parts of three others included
24 in it as well.

25 Our two workshop options highlighted two

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1 distinct alternatives to drawing these four
2 districts within the county: keep every municipality
3 whole in option A and much more visually and
4 mathematical compact districts in option B. With
5 this configuration in the PCB, those two concepts
6 have been merged together as much as it's possible
7 so that each of the four districts have good visual
8 and mathematical compactness while also being able
9 to keep every city within Polk County wholly within
10 the district.

11 CHAIRMAN BYRD: Thank you, Representative
12 Garrison.

13 And now, I'd like to recognize
14 Representative Persons-Mulicka to present the next
15 region of the State.

16 REPRESENTATIVE PERSONS-MULICKA: Thank you,
17 Chair Byrd.

18 Members, as we look at the region that
19 includes Sumter, Hernando and Pasco Counties, there
20 is enough population to form five districts within
21 these three counties. Three districts are entirely
22 within Pasco County, as in the benchmark, but
23 because of population growth, a fourth district now
24 must also include part of Pasco County.

25 District 52 may look odd at first glance,

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1 but it is made up by keeping Sumter County wholly
2 within it and then getting its remaining population
3 in Hernando County, while using the Suncoast Parkway
4 and a small part of U.S. 98 for the entire western
5 boundary.

6 District 52 has a boundary analysis score
7 of 100 percent for usage of county boundaries, city
8 boundaries, major roadways, and waterways or
9 railways. This is the only district other than the
10 three districts that are made up of only whole
11 counties to score 100 percent.

12 District 53 is the only district in this
13 region to cross county lines. But it's the most
14 compactly shaped district with the highest
15 compactness score of all these districts while
16 following as many major roads as possible. The
17 boundary lines between the districts within Pasco
18 County all primarily use roads that are recognizable
19 roadways, such as Little Road in Western Pasco, I-75
20 and Old Pasco Road in the eastern part of the
21 county.

22 Now, Members, moving to the Tampa Bay
23 region. Let's review Districts 57 through 72. This
24 decade, 16 districts were able to be kept in the
25 three county combination of Pinellas, Hillsborough

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1 and Manatee County. Five districts were kept wholly
2 in Pinellas, seven districts wholly in Hillsborough,
3 and two districts wholly in Manatee County. Only
4 two districts cross county lines, District 62,
5 between Pinellas and Hillsborough, and District 70,
6 between Hillsborough and Manatee.

7 District 62 is a performing black district
8 protected by Tier 1 of the Florida Constitution.
9 This district is located as a part of Pinellas and
10 Hillsborough County. The benchmark district also
11 included part of two other counties crossing into
12 four counties in total. So this configuration is a
13 vast improvement in both visual and mathematical
14 compactness to the benchmark district. It also
15 vastly improves its boundary analysis, going from 30
16 percent of its borders, following a nonpolitical or
17 geographical boundary, to just 9 percent now in the
18 proposed map.

19 The black voting age population in this
20 district increases slightly compared to the
21 benchmark district, but it is drawn in a manner
22 consistent with Florida's Supreme Court precedent
23 that states, "Slight changes in voting age
24 population either way is acceptable as long as a
25 functional analysis is conducted to ensure the

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1 voting strength of the minority group in both
2 general and primary elections is at a comparable
3 level that existed in the benchmark district." This
4 analysis conducted by staff ensures that the
5 proposed district does not deny or abridge the equal
6 opportunity of racial and language minorities to
7 participate in the political process or diminish
8 their ability to elect representatives of their
9 choice.

10 District 63 is also a performing black
11 district protected by Tier 1 of the Florida
12 Constitution. This district is located entirely
13 within Hillsborough County, similar to the
14 benchmark, and was able to be drawn in a more
15 compact manner that follows much better boundary
16 lines overall when compared to the benchmark. The
17 black voting age population in this district
18 decreases slightly compared to the benchmark
19 district, but it is drawn in a manner consistent
20 with Florida Supreme Court precedent that states,
21 "Slight changes in voting age population either way
22 is acceptable, so long as a functional analysis is
23 conducted to ensure the voting strength of the
24 minority group in both general and primary elections
25 is at a comparable level that existed in the

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1 benchmark district." This analysis conducted by
2 staff ensures that the proposed district does not
3 deny or abridge the equal opportunity of racial or
4 language minorities to participate in the political
5 process or diminish their ability to elect
6 representatives of their choice.

7 When we speak of municipalities in this
8 region, more municipalities are kept whole in
9 Pinellas County compared to the benchmark, including
10 the city of Clearwater. District 64 is another
11 example of a district that primarily uses major
12 recognizable roadways in the area, in this case,
13 Gunn Highway, Sheldon Road, Hillsborough Avenue, and
14 Veterans Expressway. This creates a compact
15 district that shares a boundary with a protected
16 black district, and that also happens to be a
17 majority-minority Hispanic district in Hillsborough
18 County. All of the remaining districts in
19 Hillsborough County primarily use major roadways,
20 railways, or rivers, wherever possible to create
21 recognizable boundaries in an area with only one
22 incorporated municipality, Plant City, which is kept
23 whole.

24 Members, moving down into Southwest
25 Florida, we have Districts 73 through 83. This is

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1 another example where the overall compactness of a
2 region was able to be improved while also keeping
3 three districts wholly within Lee County, two wholly
4 within Sarasota County, and another wholly within
5 Collier County. Also, you will see that six
6 counties were able to be kept wholly within a
7 district.

8 Looking at District 83, it is made up of
9 four of those whole counties and includes Hardee
10 Highlands, Okeechobee, and Glades counties. Looking
11 at Charlotte County, which, like Bay County, this
12 decade, was its own State House district, served as
13 the high end of the population deviation in the
14 benchmark map. But with growth over the past
15 decade, the county outgrew the size of a House
16 district, and so the county must be split. Even
17 though the county was split, dividing the county in
18 this configuration between Districts 75 and 76,
19 using primarily Charlotte Harbor and the Peace
20 River, resulted in helping the compactness of the
21 entire region and was part of the key to keeping
22 other districts wholly within Sarasota and Lee
23 Counties respectively.

24 Cape Coral was kept whole in a district
25 last decade but is now also too big to be kept whole

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1 in a State House district. However, in continuing
2 the consistent approach to keeping districts wholly
3 within geographic regions when feasible, the
4 proposed District 79 is almost entirely within the
5 city limits with 99 percent of the population within
6 the proposed district in the city of Cape Coral.
7 North Port and Venice are also split due to equal
8 population reasons and both divided along major
9 roadways. Every other municipality is kept whole in
10 this region including Fort Myers, Naples, and
11 Sarasota, among others, with the exception of
12 Longboat Key because the Sarasota-Manatee County
13 line is kept intact. And this is one of four cities
14 in Florida that is divided between two counties.

15 CHAIRMAN BYRD: Thank you, Representative
16 Persons-Mulicka.

17 I'd now like to recognize Representative
18 Snyder to present the next region.

19 REPRESENTATIVE SNYDER: Thank you,
20 Mr. Chairman.

21 In the southeast portion of Florida,
22 Districts 84 through 86 are made from St. Lucie and
23 Martin counties and include a small portion of Palm
24 Beach County. However, by having one of these three
25 districts go into Palm Beach County, in this case

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1 District 86, that enables eight other districts to
2 be kept wholly within Palm Beach County.

3 District 84 is kept entirely within St.
4 Lucie County. And Port St. Lucie is one of the 10
5 cities too big for a House district, so it must be
6 split. But all the other municipalities in Martin
7 and St. Lucie County are kept whole. This new
8 configuration, compared to the benchmark districts
9 in this area, are much more compact and respectful
10 of political and geographical boundary lines. This
11 results in much better visual compactness and more
12 easily recognizable boundary lines. The western
13 St. Lucie County line is not crossed, as was
14 necessary a decade ago for equal population reasons.

15 In Palm Beach County, eight districts, 87
16 through 94, are able to be kept wholly within the
17 county. This is only possible when in another
18 district, District 86 from Martin County, takes the
19 right amount of population in Palm Beach County in
20 the balancing act of population deviations. In this
21 case, Palm Beach County had approximately 57,000,
22 too many people for eight State House districts. So
23 by including that amount of population in District
24 86, no other district had to cross the Palm Beach
25 County lines.

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1 District 88 is a performing majority-
2 minority black district protected by Tier 1 of the
3 Florida Constitution. This district is entirely
4 within Palm Beach County, similar to the benchmark
5 district. But this configuration is a vast
6 improvement in visual and mathematical compactness
7 to the benchmark district that results in impacting
8 five fewer cities than it did in the benchmark plan.
9 The compactness score of these districts are vastly
10 improved: .08 Reock score in the benchmark to a .30
11 in this configuration, .34 Convex-Hull score to .57
12 in the proposal. This allowed more municipalities
13 to be kept whole in the county as well and improved
14 compactness to all the districts in the region.

15 The black voting age population in this
16 district decreases slightly compared to the
17 benchmark district, but it is drawn in a consistent
18 manner with respect to Florida Supreme Court
19 precedent to maintain existing majority-minority
20 districts. A functional analysis conducted by staff
21 ensures that the voting strength of the minority
22 group in both general and primary elections does not
23 deny or abridge the equal opportunity of racial or
24 language minorities to participate in the political
25 process or diminish their ability to elect

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1 representatives of their choice.

2 District 89 is a compact rectangular shape
3 district that also happens to be a majority-minority
4 Hispanic district. The shape of District 93 is
5 largely due to keeping the city of Wellington wholly
6 within it, creating a point or arrow, but these are
7 municipal boundaries for the city.

8 Districts 90, 91, and 92 in the southern
9 part of the county keep every municipality whole,
10 and the configuration of all of these districts are
11 mostly in order to accommodate keeping those cities
12 whole, such as Boca Raton and Delray Beach, for
13 example.

14 The Loxahatchee National Wildlife Refuge
15 along District 92 and 93 is a difficult area to draw
16 districts around as the entire area, which is
17 unpopulated, is in a single census block. That is
18 the reason why those two districts have the bend in
19 their shapes along the western side of each district
20 and why the entire area is included in District 94.

21 CHAIRMAN BYRD: Thank you, Representative
22 Snyder and two of the other members, again, in
23 assisting me today in presenting the PCB.

24 So we'll now move on to House Districts 95
25 through 105. In South Florida, nine districts are

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1 able to be kept wholly within Broward County, and
2 only two districts cross the Broward-Miami-Dade
3 County line. And no district crosses the Palm
4 Beach-Broward County line. Overall, the 11 total
5 districts that make up the population in Broward
6 County have all improved in Tier 2 metrics when
7 compared to the benchmark districts in this region.
8 The region's compactness scores have improved. More
9 cities are able to be kept whole, including the
10 cities of Margate, North Lauderdale, and Daniel
11 Beach. The cities that are split for Tier 1 in
12 population. Equalization reasons are split as few
13 times as possible while balancing other Tier 2
14 considerations. For example, the city of Plantation
15 is split into three districts, which is an
16 improvement over the benchmark where Plantation is
17 split five times.

18 Districts 97, 98, and 99 in the northern
19 part of Broward County and Districts 104 and 105 in
20 the southern part of the county are performing black
21 districts protected by Tier 1 of the Florida
22 Constitution. Districts 97 and 99 are majority-
23 minority black districts. Districts 97, 98, and 99
24 are entirely within Broward County, while districts
25 104 and 105 cross over into Miami-Dade County as

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1 well. They are all similar to the benchmark
2 districts but drawn in a way that is more compact
3 and where more cities were kept whole, such as
4 Margate and North Lauderdale.

5 The black voting age population in these
6 districts are similar when compared to the benchmark
7 districts, but are drawn in a consistent manner with
8 respect to Supreme Court precedent to maintain
9 existing majority-minority districts. A functional
10 analysis conducted by staff ensures that the voting
11 strength of the minority group in both general and
12 primary elections does not deny or abridge the equal
13 opportunity of racial or language minorities to
14 participate in the political process or diminish
15 their ability to elect representatives of their
16 choice.

17 District 103 contains all of Weston. It's
18 an otherwise compact district, where almost 90
19 percent of the district's boundary following
20 municipal lines, major roadways, or the Broward
21 County line only deviating to equalized population
22 and also happens to be a majority-minority Hispanic
23 district wholly within Broward County.

24 District 100, which borders two Tier 1
25 protected districts, follows a railway along that

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1 majority of its western boundary it shares it these
2 two districts. The visual compactness of the
3 districts in South Broward County is improved from
4 the two options in the workshop maps and revised
5 configuration of South Broward County. The
6 compactness scores also improved, and now Districts
7 101, 102, 104 and 105 come together at a single
8 point along a major intersection of University
9 Avenue and Sheridan Street, both divided four-lane
10 State Roads, SR 817 and 822, respectively. Daniel
11 Beach and Cooper City are also municipalities kept
12 whole in Districts 101 and 102 respectively.

13 We'll now move over to the last region, The
14 House districts 106 to 120. So moving further
15 south, 14 districts, 106 to 120 are wholly within
16 Miami-Dade County. Three other districts cross the
17 county line, one to include all of Monroe County and
18 two that cross the Broward-Miami-Dade County line.
19 This is an improvement over the benchmark map that
20 had five districts across the Miami-Dade County
21 line. All but two districts that include all are
22 part of Miami-Dade County. Fifteen total are
23 protected Tier 1 districts.

24 Districts 107, 108, 109 and 117 in Miami-
25 Dade County are performing black districts protected

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1 by Tier 1 of the Florida Constitution. Districts
2 107 and 108 are majority-minority black districts.
3 All four of these are entirely within Miami-Dade
4 County. The black voting age population in these
5 districts are similar compared to the benchmark
6 districts with slight changes but are drawn in a
7 consistent manner with respect to the Supreme Court
8 precedent to maintain existing majority-minority
9 districts. A functional analysis conducted by staff
10 ensures that the voting strength of the minority
11 group in both general and primary elections does not
12 deny or abridge the equal opportunity of racial or
13 language minorities to participate in the political
14 process or diminish their ability to elect
15 representatives of their choice.

16 Districts 110, 111, 112, 113, 114, 115,
17 116, 118, and 119 in Miami-Dade County are
18 performing Hispanic districts protected by Tier 1 of
19 the Florida Constitution. All nine of these
20 districts are majority-minority Hispanic districts.
21 They are all also entirely within Miami-Dade County.
22 The Hispanic voting age population in these
23 districts are similar compared to the benchmark
24 districts with slight changes, but are drawn in a
25 consistent manner with respect to Supreme Court

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1 precedent to maintain existing majority-minority
2 districts. A functional analysis conducted by staff
3 ensures that the voting strength of the minority
4 group in both general and primary elections does not
5 deny or abridge the equal opportunity of racial or
6 language minorities to participate in the political
7 process or diminish their ability to elect
8 representatives of their choice.

9 Looking at the region, the average of the
10 compactness scores in these 15 districts improved in
11 two of the three compactness tests: Reock and
12 Convex-Hull. The biggest improvement overall over
13 the benchmark maps in these districts in Tier 2
14 metrics, however, can be seen in the boundary
15 analysis. In the benchmark, these 15 districts
16 combined followed an average of 29 percent of
17 nonpolitical or geographic boundaries, minor
18 neighborhood roads, for example. The districts in
19 the proposed map cut that in almost half to just an
20 average of just 15 percent. This means that
21 throughout the whole region of Miami-Dade County,
22 more major roadways, more city lines and more
23 geographical features -- or the geographical
24 features more unique to the area are used, such as
25 major canals and rivers. Overall, a much better use

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1 of recognizable boundary lines.

2 District 106 includes the whole city of
3 Miami Beach and keeps whole the other eight beach
4 municipalities north of Miami Beach, along the coast
5 of Miami-Dade County, but stops at the county line.

6 Districts 114 and 115 shared border
7 utilizes municipal lines for the majority of the
8 border, which is why the boundary line appears more
9 jagged than others in the area.

10 Finally, because of the north-south nature
11 of the population distribution in the development of
12 the major roadways in this pattern, many of the
13 districts in the region are taking more vertical or
14 north-south orientations.

15 And that, Members, is the proposed map in
16 the PCB.

17 VICE-CHAIR ROBINSON: Representative Byrd
18 having presented the PCB, Members, now is the time
19 for questions. Any members having questions?

20 Ranking member Daley.

21 And what I'm going to do is I'm going to
22 let each member ask a few questions. Please go to
23 the Chair with each question. And then I may move
24 on to another member. So everyone gets a chance to
25 ask questions, and then we'll come back.

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1 Ranking member Daley, you're recognized.

2 REPRESENTATIVE DALEY: That works. Thank
3 you, Vice chair. Appreciate it very much.

4 I do have a couple to tear us off, and
5 they're kind of higher level. Is it correct that
6 the Committee staff themselves drew the entire map?

7 VICE-CHAIR ROBINSON: Representative Byrd,
8 you're recognized.

9 CHAIRMAN BYRD: Thank you, Vice-Chair.

10 And, yes, that is correct. The three
11 individuals that we have, Leda, Jason, and Kyle.

12 VICE-CHAIR ROBINSON: Ranking member Daley,
13 you're recognized for question.

14 REPRESENTATIVE DALEY: Thanks, Vice-Chair.

15 Does that mean that staff also made policy
16 decisions that went into actually drawing the lines?
17 When I say policy decisions, I mean what to do with
18 a prison population, for example, what to prioritize
19 in terms of keeping cities whole or other decisions
20 that would have been made as part of that process.

21 VICE-CHAIR ROBINSON: Representative Byrd,
22 you're recognized.

23 CHAIRMAN BYRD: They assisted myself and
24 Chair Leek in that process. And we are the policy
25 decision makers, and we are the ones that will

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1 ultimately make those decisions. So they provided
2 us the information, and these were ultimately our
3 policy decisions.

4 VICE-CHAIR ROBINSON: Ranking member Daley,
5 you're recognized for follow-up.

6 REPRESENTATIVE DALEY: Thank you
7 for that answer, Mr. Chair, and Mr. Vice-Chair.

8 What methodology was used in drafting these
9 maps and who established that methodology and was
10 that decision made public?

11 VICE-CHAIR ROBINSON: Representative Byrd,
12 you're recognized.

13 CHAIRMAN BYRD: I'm going to allow our
14 Chief map drawer, Jason Poreda.

15 VICE-CHAIR ROBINSON: Mr. Poreda, you are
16 recognized.

17 MR. POREDA: Thank you, Mr. Chair.

18 We used the consistent methodology that the
19 Supreme Court said that the House used last time was
20 acceptable to develop the maps. We continued that
21 same process this time.

22 VICE-CHAIR ROBINSON: Ranking member Daley,
23 you're recognized for a question.

24 REPRESENTATIVE DALEY: Sorry. Can I just
25 follow up on that answer?

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1 So what was that methodology? Just to air
2 it out.

3 VICE-CHAIR ROBINSON: Representative Byrd,
4 you're recognized. If you'd like to turn it over,
5 let us know.

6 CHAIRMAN BYRD: Yeah. I'd like to ask
7 staff -- or Director Leda Kelly to elaborate.

8 VICE-CHAIR ROBINSON: Ms. Kelly, you're
9 recognized.

10 STAFF DIRECTOR KELLY: Thank you, Mr.
11 Chair.

12 Thank you, Ranking member, for the follow-
13 up. It's actually what we've been outlined and what
14 Chair Byrd went through in the beginning of his
15 presentation as well. So in alignment with Supreme
16 Court precedent, like Jason just mentioned, it's
17 evaluating all of the Tier 2 and Tier 1 standards
18 and being able to draw them consistently.

19 And that's part of the reason why today, we
20 also took the time to provide the compactness scores
21 and the boundary analysis specifically, as well as
22 the other data that's in your packet. Because, you
23 know, as I'm sure you guys are aware, there's no one
24 metric that necessarily supersedes the others,
25 especially when we're looking at Tier 2, I should

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1 clarify. So as we went through, you know, we have
2 attempted to keep cities whole where possible, been
3 able to maintain county boundaries, things like that
4 that we've been talking about for the last couple
5 months, as well as being able to improve compactness
6 scores mathematically. Obviously, the visual one is
7 a little more subjective but being able to improve
8 those compactness scores where possible.

9 CHAIRMAN BYRD: Ranking member, you're
10 recognized.

11 REPRESENTATIVE DALEY: Thank you.

12 And thank you for that answer. I
13 appreciate it. I want to also turn to the data
14 sets. So what data sets were used in drafting the
15 maps, and where can the public access those data
16 sets? And when I say data sets, I mean, the
17 performance data, you know, which election data was
18 used over this series of years when doing the
19 analysis? Where is that all found?

20 VICE-CHAIR ROBINSON: Representative Byrd,
21 you're recognized. And, Ranking member, can you
22 pull the mic closer as well when you ask your
23 question? Thank you. Representative Byrd, you're
24 recognized.

25 CHAIRMAN BYRD: Thank you, Vice-Chair.

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1 So the data is the -- the census data that
2 we received and has been available since we received
3 it on the -- you know, been available to the public
4 and to the members of the Committee. So that it's
5 -- all of those data sets, which there are over 200,
6 that's what we relied upon.

7 VICE-CHAIR ROBINSON: I'm going to move.
8 I'll come back to you, Ranking member. I'm going to
9 move.

10 I believe, Representative Hart, you had a
11 question. You're recognized.

12 REPRESENTATIVE HART: Yes, sir. Thank you.
13 If you all would go back to Districts 57 through 72,
14 I'd greatly appreciate it. When we were going over
15 them, I heard several of the numbers called. I was
16 just trying to figure out: did we split up 50 -- I
17 don't even know where we split in Hillsborough. But
18 could you tell me -- I think this is Hillsborough --
19 57, 58, 59. We didn't talk any -- you didn't
20 mention those at all in your explanation of the
21 various districts. I was just trying to figure out
22 where they were and how did we arrive at those?

23 VICE-CHAIR ROBINSON: Representative Byrd,
24 you're recognized.

25 CHAIRMAN BYRD: I'm going to allow Staff

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1 Director Kelly to give it a more detailed response.

2 VICE-CHAIR ROBINSON: Ms. Kelly, you're
3 recognized.

4 STAFF DIRECTOR KELLY: Thank you, Mr.
5 Chair.

6 Thank you, Representative, for the
7 question. If you look at the northern border of
8 District 57, that's the county boundary between
9 Pinellas and Pasco County. If you continue down the
10 eastern border, that's the county boundary between
11 Pinellas and Hillsborough. And then as you kind of
12 look to the Southern border between District 57 and
13 58, those are the municipal lines of the city of
14 Clearwater. As you move down further into district
15 -- between District 58 and 59, that's the city
16 Largo. So those little more jagged lines you might
17 be observing are municipal boundaries.

18 VICE-CHAIR ROBINSON: Representative Hart,
19 you're recognized for question.

20 REPRESENTATIVE HART: So those are
21 literally not -- most of that then is not
22 Hillsborough? That's Pinellas, you say, in
23 Clearwater and some other districts?

24 VICE-CHAIR ROBINSON: Representative Byrd,
25 you're recognized.

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1 CHAIRMAN BYRD: Yes, that's correct.

2 VICE-CHAIR ROBINSON: Further questions?

3 Representative Arrington, you're

4 recognized.

5 REPRESENTATIVE ARRINGTON: Sorry. Thank

6 you, Mr. Vice-Chair.

7 I've got a lot of props here today, sorry.

8 I wanted to ask, I think it's in page 23, with the

9 Central Florida area that Osceola went through, and

10 I just had a couple questions on that area.

11 Perfect. Thank you. For Osceola, there's four

12 seats, but only one of them is wholly within Osceola

13 County. Three of them are split between multiple

14 counties, and also city Kissimmee was split as well.

15 So I was just trying to figure out why we made those

16 changes. I know the proposed map, we didn't have as

17 many splits

18 VICE-CHAIR ROBINSON: Representative Byrd,

19 you're recognized.

20 CHAIRMAN BYRD: I'm going to let Jason

21 Poreda take that question for a detailed answer.

22 VICE-CHAIR ROBINSON: Mr. Poreda, you're

23 recognized.

24 MR. POREDA: Thank you, Mr. Chairman. So

25 the reconfiguration here in the proposed PCB

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1 compared to our two workshop maps primarily centered
2 around Districts 46 and 47, which are now both
3 performing Hispanic districts. Again, District 46,
4 is wholly within Osceola County, but it was
5 necessary to make sure that District 47 could be
6 also a performing Hispanic district to cross the
7 county line. That resulted in District 45 also
8 having to cross to the county line to adjust for the
9 population shifts and all of that. We saw the
10 opportunity there to create that new performing
11 District 47, and these were the resulting population
12 shifts to create that opportunity.

13 VICE-CHAIR ROBINSON: Representative
14 Arrington, you're recognized for question.

15 REPRESENTATIVE ARRINGTON: Thank you.
16 Because I believe in the workshop maps, those two
17 were wholly within Osceola County, and they also
18 were still minority performing. I just wondered if
19 there was ways that we looked at to keep those two
20 minority seats and not have as many splits.

21 VICE-CHAIR ROBINSON: All right.
22 Representative Byrd, you recognized.

23 CHAIRMAN BYRD: Yes. I'm going to let
24 Jason Poreda take that.

25 VICE-CHAIR ROBINSON: Mr. Poreda, you're

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1 recognized.

2 MR. POREDA: Sure. So in both our workshop
3 maps in Osceola and Orange County, there were four
4 majority-minority Hispanic districts, but two of
5 them were just barely over 50 percent. And
6 according to the functional analysis that we ran,
7 two of them would not be performing. Two would be
8 performing as is in the benchmark. We created the
9 third one to be another performing majority-minority
10 Hispanic district, and that was the necessary
11 adjustment.

12 VICE-CHAIR ROBINSON: Sure. Representative
13 Kelly, you're --I'm sorry -- elevated. Ms. Kelly,
14 you're recognized.

15 STAFF DIRECTOR KELLY: Thank you, Mr.
16 Chair.

17 I also wanted to point out, if you look,
18 you know, separate from the Hispanic districts that
19 were focused on District 35, which also does come
20 from Osceola and go up into Orange County, it
21 equalized population. That configuration stayed
22 primarily the same between our workshop maps and
23 this iteration so that Osceola-Orange County
24 boundary was already split.

25 And so whenever we were looking at our Tier

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1 1 requirements, which override our Tier 2
2 requirements, that's why we moved to take care of 46
3 and 47 the way that you see it here. So I just
4 wanted to add that additional point. Thank you.

5 VICE-CHAIR ROBINSON: Representative
6 Arrington, you're recognized for question.

7 REPRESENTATIVE ARRINGTON: Thank you, Vice-
8 Chair. And just one more question on that area then
9 two, and about those two seats, the 46 and 47. I
10 noticed that they both are close to 60 percent
11 minority. Was there anything done to determine if
12 there was another minority access seat available,
13 if, you know, if we could, you know, take a 10
14 percent from each of those and put it to one of the
15 others that you were discussing?

16 VICE-CHAIR ROBINSON: I'll let Ms. Kelly
17 handle that.

18 Representative Byrd, you're recognized.

19 CHAIRMAN BYRD: Thank you. I'm going to
20 let Staff Director Kelly take --

21 VICE-CHAIR ROBINSON: Ms. Kelly, you're
22 recognized.

23 STAFF STAFF DIRECTOR KELLY: Thank you,
24 Chair.

25 And thank you, Representative, for that

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1 question. So as part of the functional analysis, we
2 evaluate all the factors. And just to kind of
3 remind the Committee what that involves, it's not
4 only for these districts what would be the Hispanic
5 voting age population. You also look at the amount
6 of registered voters, the voter turnout for your
7 different elections, as well as the actual election
8 results with it.

9 Generally speaking, and this is a broad-
10 brush stroke statement, when you're looking at
11 Hispanic districts throughout Florida, there's
12 usually a higher percentage of just the HVAP in
13 isolation that's needed in order to create a
14 performing district.

15 So even though both of these are over 50
16 percent, so, say, if you were to take them down to
17 whatever threshold you'd want to create, there's
18 still most likely might not be enough people there
19 to create another performing district. And that
20 just, again, going back to the complete functional
21 analysis, when you're looking at just the amount of
22 people, you also have to look at how many people
23 actually turn out as well as the actual election
24 results. So it's kind of all those factors together
25 that play to creating the two performing districts

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1 right there on the county line.

2 VICE-CHAIR ROBINSON: Representative
3 Woodson, you're recognized for question.

4 REPRESENTATIVE WOODSON: Thank you, Chair,
5 Vice-Chair, and staff. I have a few questions, so
6 if you please, bear with me.

7 The first question that I have: I know we
8 have touched on it, but what formula was utilized to
9 calculate the black voting age population in this
10 map?

11 VICE-CHAIR ROBINSON: Representative Byrd,
12 you're recognized.

13 REPRESENTATIVE WOODSON: Thank you,
14 Representative Woodson, for the question. And
15 that's the information that we received from the
16 Census Bureau.

17 VICE-CHAIR ROBINSON: Representative
18 Woodson, you're recognized for question.

19 REPRESENTATIVE WOODSON: Thank you, Chair.
20 Can you just explain as well, how did we --
21 what about the individuals who identify as black and
22 Hispanic?

23 VICE-CHAIR ROBINSON: Representative, can
24 you re repeat your question? I just had a difficult
25 time hearing you. Can you speak into the mic?

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1 Thank you so much.

2 REPRESENTATIVE WOODSON: Okay. All right.

3 Thanks.

4 VICE-CHAIR ROBINSON: You're recognized.

5 REPRESENTATIVE WOODSON: Yes. How about
6 the individuals who identify as black and Hispanic?
7 Was there any consideration to find out who they
8 were and give them consideration on the map?

9 VICE-CHAIR ROBINSON: Representative Byrd,
10 you're recognized.

11 CHAIRMAN BYRD: Thank you, Vice-Chair, and
12 thank you for the question. If a people identify as
13 both black and Hispanic, they are analyzed through
14 both HVAP and BVAP analysis.

15 REPRESENTATIVE WOODSON: Okay. All right.

16 VICE-CHAIR ROBINSON: Representative
17 Woodson, you're recognized for question.

18 REPRESENTATIVE WOODSON: Thank you, Vice-
19 Chair. My second question, when we are looking at
20 104, 105 and 107, Miami Gardens, which is part of
21 that area, is the third largest city in Miami-Dade
22 County, was there any consideration -- there is a
23 population of about 120,000 in Miami Gardens. Was
24 there any consideration given to keeping that city
25 whole as opposed to dividing it into three?

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1 VICE-CHAIR ROBINSON: Representative Byrd,
2 you're recognized.

3 CHAIRMAN BYRD: Thank you. I'm going to
4 ask Mr. Poreda to take that question.

5 VICE-CHAIR ROBINSON: Poreda, you're
6 recognized.

7 MR. POREDA: Thank you, Mr. Chairman. We
8 did consider that. Like, we tried to consider
9 keeping every city in the state whole. All three of
10 those districts you mentioned were also protected,
11 black districts by the Florida Constitution. So the
12 Tier 1 constitutional standard superseded the Tier 2
13 constitutional standards of trying to keep a city
14 whole. So that is why Miami Gardens is split the
15 way it is.

16 REPRESENTATIVE WOODSON: Well --

17 VICE-CHAIR ROBINSON: Representative,
18 Woodson, you're recognized for another question.

19 REPRESENTATIVE WOODSON: Thank you, Vice-
20 Chair.

21 Because of the economic impact that it
22 might have, I would ask that it will be -- if
23 there's some consideration that can be given to
24 Miami Gardens. Because when you have a city with
25 120,000 residents, there are some residents who live

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1 in the city and work in the city as well. And for
2 them to have three representation, at least, if we
3 can be two, that would be something to consider if
4 you can.

5 Okay. My other questions has to do with
6 Haitian Creole speakers that are reflected, how are
7 they reflected in this plan, and how are language
8 speakers identified in the mapping software as well?

9 VICE-CHAIR ROBINSON: Representative Byrd,
10 you're recognized.

11 CHAIRMAN BYRD: Thank you, Vice-Chair. And
12 so I'm going to take the first part of your question
13 regarding Miami Gardens. And I would remind Members
14 that this is a PCB that's being voted out of the
15 subcommittee. It will then -- assuming Members pass
16 the PCB, it will go up to the full Redistricting
17 Committee. And so I'd ask you, with that very
18 specific question that you have, to get with staff
19 following this Committee because there's still time
20 to work on the map once it goes to the full
21 Committee.

22 And if you wouldn't mind, would you please
23 repeat the second part of your question? I think it
24 was relating to language minorities.

25 VICE-CHAIR ROBINSON: Representative

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1 Woodson, you're recognized.

2 REPRESENTATIVE WOODSON: Thank you, Chair,
3 and thank you, Vice-Chair, as well.

4 The second part of the question was, first,
5 how Haitian Creole speakers reflected in this plan,
6 and how the language speakers identify in your
7 mapping software. And a second part of the -- third
8 part of the question --

9 VICE-CHAIR ROBINSON: Let's just answer --
10 can we just answer that question first?

11 REPRESENTATIVE WOODSON: Okay.

12 VICE-CHAIR ROBINSON: Okay.

13 REPRESENTATIVE WOODSON: All right. Thank
14 you.

15 VICE-CHAIR ROBINSON: Representative Byrd,
16 you're recognized.

17 CHAIRMAN BYRD: Thank you, Vice-Chair.

18 And so the language minorities are not --
19 that's not -- that's the census -- the data that we
20 get from the census doesn't give us the Haitian
21 Creole speakers. That's part of the ACS, the
22 American Community Survey. So that's not the
23 information that we use when looking at language
24 minorities.

25 VICE-CHAIR ROBINSON: Representative

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1 Woodson, sorry I cut you off, but you had another
2 question after that one. You're recognized.

3 REPRESENTATIVE WOODSON: Thank you,
4 Mr. Vice-Chair.

5 By Haitian being the third highest language
6 speakers in the state of Florida, I think that's
7 something that we do need to consider. But if we
8 were to attempt to create a Haitian Creole
9 opportunity district, assuming that we could do so
10 in a manner consistent with the Tier 1 and Tier 2
11 command is in the state constitution, what data sets
12 would we be able to pull from that to give it our
13 best shot?

14 VICE-CHAIR ROBINSON: Representative Byrd,
15 you're recognized.

16 CHAIRMAN BYRD: So the American community's
17 data is not included in the block subset. And so
18 what I would encourage you to do is, once again, get
19 with staff working within our Tier 1 and Tier 2
20 standards to try to address those concerns. Because
21 the data that the Supreme Court tells us we need to
22 rely upon, I don't think accomplishes what you're
23 asking.

24 VICE-CHAIR ROBINSON: Further questions?

25 REPRESENTATIVE WOODSON: Thank you, Chair.

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1 VICE-CHAIR ROBINSON: One more and then
2 we'll move on.

3 Representative Woodson, you're recognized.

4 REPRESENTATIVE WOODSON: Oh, actually, I
5 think that was my last question.

6 VICE-CHAIR ROBINSON: Okay.

7 REPRESENTATIVE WOODSON: Thank you.

8 VICE-CHAIR ROBINSON: Representative
9 Valdes, you're recognized.

10 REPRESENTATIVE VALDES: Thank you, Chair
11 Robinson. And my question is, we were provided 30
12 districts that we received performance data sets on,
13 and I'm wondering, why wasn't this data provided for
14 all the other 90 seats?

15 VICE-CHAIR ROBINSON: Representative Byrd,
16 you're recognized.

17 CHAIRMAN BYRD: Thank you for the question.
18 And we only performed functional analysis data on
19 the 30 protected seats. We don't perform it on the
20 non-protected seats.

21 REPRESENTATIVE VALDES: Okay. Thank you.

22 VICE-CHAIR ROBINSON: Representative
23 Valdes, you're recognized for question.

24 REPRESENTATIVE VALDES: Thank you, Chair.
25 So can you walk us through the benchmark

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1 process? So for instance, what was the process that
2 was used to identify the VRA Tier 1 protected
3 districts in the benchmark map?

4 VICE-CHAIR ROBINSON: Well, Ms. Kelly, I'll
5 let you take that directly.

6 STAFF DIRECTOR KELLY: Thank you, Mr.
7 Chair.

8 And thank you for the question. So I'll
9 kind of talk holistically about the process of how
10 you go through that and approach it. And I think,
11 first and foremost, it starts with looking at just
12 the sheer population data. In August and then
13 subsequently in September, when the Census Bureau
14 provided that population data to us, you were able
15 to see how some of those changes happen across the
16 state. And obviously, there's some shift in
17 population, but obviously, we know Florida
18 experienced large growth in population as well.

19 So the first understanding that staff
20 undertook was to just see what the actual population
21 layout of the state looks like. From there, using
22 our benchmark map as kind of our starting point,
23 that's whenever we started to run our functional
24 analysis, which as I mentioned earlier, is the
25 voting age population, looking at registered voters,

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1 voter turnout, and then the ultimate election
2 results as well. That's how you understand which
3 districts may be protected based on the updated
4 population data, right.

5 So then from there we continue our drawing
6 process, which is a combination of working with our
7 Tier 2 requirements, obviously ensuring that Tier 1
8 is met. And then once we get to, you know, what
9 we'll call a 95 percent finished work product, we
10 perform a functional analysis again to ensure that
11 any of those decisions -- you know, we've talked
12 about some city lines here, city lines there, any of
13 those line movements that occurred as we were
14 drawing didn't diminish the ability of that
15 protected district to elect the candidate of their
16 choice. So it's kind of a multi-stage process. I
17 hope that answers your question.

18 REPRESENTATIVE VALDES: Thank you, Chair.

19 VICE-CHAIR ROBINSON: Representative
20 Valdes, you're recognized. I can't tell -- are you
21 done or you wanted another one?

22 REPRESENTATIVE VALDES: No. I want another
23 one.

24 VICE-CHAIR ROBINSON: You're recognized.

25 REPRESENTATIVE VALDES: Thank you, Chair.

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1 And thank you, Ms. Kelly, for that
2 feedback. So was this process done for all the
3 seats or just the 30?

4 VICE-CHAIR ROBINSON: Ms. Kelly, would you
5 like to take that directly? You're recognized.

6 STAFF DIRECTOR KELLY: Thank you, Mr.
7 Chair. Thank you for the follow up. So whenever we
8 began drawing, we didn't know it was 30. So just to
9 lay that out. Whenever you look at the districts
10 and then, you know, some of the data that's provided
11 in the packet, you can understand where some of our
12 minority populations may reside. As Chair Byrd
13 answered earlier, the voting age population data is
14 actually a work product that the census produces as
15 part of our redistricting data set that we receive.

16 So we generally understand where some of
17 these folks look -- or I'm sorry, live, as we're
18 taking our first look as the population passed
19 through. So no. We don't perform it on every
20 district because there's a lot of districts where it
21 wouldn't make sense to perform it because we know
22 there's not a large enough contingency of minority
23 population to constitute a protected Tier 1
24 district. Thank you.

25 REPRESENTATIVE VALDES: Follow up?

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1 VICE-CHAIR ROBINSON: Representative

2 Valdes, you're recognized. Thank you.

3 REPRESENTATIVE VALDES: And so did we run a
4 performance analysis on all the districts to
5 establish the benchmark for the minority districts,
6 or was there a particular percentage that maybe you
7 were looking at from the benchmark?

8 VICE-CHAIR ROBINSON: Ms. Kelly, you want
9 to take that directly? Representative Byrd, you're
10 recognized.

11 CHAIRMAN BYRD: Let me just say this. So
12 the benchmark map is the last map, that's the
13 benchmark map. So it's not as a matter -- there's
14 not benchmark numbers that when we look at the
15 protected districts that we start with a particular
16 percentage.

17 So I don't know if that -- I just wanted to
18 -- if you could rephrase the question now knowing
19 that benchmark refers to -- when I've been using it,
20 refers to the last map, not some specific number for
21 a district.

22 VICE-CHAIR ROBINSON: Representative
23 Valdes, would you care to rephrase?

24 REPRESENTATIVE VALDES: Sure.

25 VICE-CHAIR ROBINSON: You're recognized.

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1 REPRESENTATIVE VALDES: Thank you. Thank
2 you, Chair. So basically, we didn't use a
3 percentage?

4 VICE-CHAIR ROBINSON: Representative Byrd,
5 you're recognized.

6 CHAIRMAN BYRD: No. There was no
7 percentage used.

8 REPRESENTATIVE VALDES: Thank you. Thank
9 you, Chair Byrd, and thank you, Chair Robinson.

10 VICE-CHAIR ROBINSON: You're welcome.

11 REPRESENTATIVE VALDES: I appreciate it.
12 Thank you, Ms. Kelly, as well.

13 VICE-CHAIR ROBINSON: Further questions?
14 Representative Chambliss, you're
15 recognized.

16 REPRESENTATIVE CHAMBLISS: Thank you,
17 Mr. Chair. I have a couple of basic questions and
18 then some procedural questions.

19 VICE-CHAIR ROBINSON: Proceed with
20 whichever question you believe is appropriate.

21 REPRESENTATIVE CHAMBLISS: Thank you.

22 When it comes to the boundaries that were
23 used in the end result map that we're looking at
24 now, where there any political boundaries other than
25 county and city that we use?

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1 VICE-CHAIR ROBINSON: Representative Byrd,
2 you're recognized.

3 CHAIRMAN BYRD: Thank you.

4 Thank you, Representative Chambliss. And
5 no. The Supreme Court guides us with those
6 political boundaries or counties and cities.

7 VICE-CHAIR ROBINSON: Representative
8 Chambliss, you're recognized.

9 REPRESENTATIVE CHAMBLISS: Awesome. Thank
10 you.

11 And then going back to see the benchmark
12 map and the current map that we're looking at now,
13 when it comes to black benchmark districts that
14 were in that previous map compared to now, what is
15 the number? Did that increase or decrease?

16 VICE-CHAIR ROBINSON: Representative Byrd,
17 you're recognized.

18 CHAIRMAN BYRD: Thank you. According to
19 staff, we believe it stayed the same, but we will
20 get that specific answer for you.

21 REPRESENTATIVE CHAMBLISS: And then the
22 same --

23 VICE-CHAIR ROBINSON: Representative
24 Chambliss, you're recognized.

25 REPRESENTATIVE CHAMBLISS: Thank you, sir.

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1 And then I had the same question for
2 Hispanic seats as well.

3 MR. CHIAR: Representative Byrd, you're
4 recognized.

5 CHAIRMAN BYRD: Once again, we believe that
6 stayed the same, but we will confirm that for you.

7 VICE-CHAIR ROBINSON: Representative
8 Chambliss, you're recognized for question.

9 REPRESENTATIVE CHAMBLISS: Thank you.

10 And when it comes to those seats, those
11 protected seats, how do we determine what's the
12 priority between the population voter turnouts and
13 how many people are of a certain voting age, whether
14 it's black voting age or Hispanic voting age?

15 VICE-CHAIR ROBINSON: Representative Byrd,
16 you're recognized.

17 CHAIRMAN BYRD: Thank you. And I'm going
18 to let the staff director take that one for a
19 detailed answer.

20 VICE-CHAIR ROBINSON: Ms. Kelly, you're
21 recognized.

22 STAFF STAFF DIRECTOR KELLY: Thank you,
23 Chair.

24 Representative, I'm going to try and answer
25 your question, but I might ask for clarification as

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1 well. So the population of a district is set by our
2 ideal population, and as Chair Byrd described in his
3 earlier, I guess, initial remarks, we have a
4 deviation range of 4.75 percent. So when looking at
5 population of a district, we've tried to keep it
6 within that range. So I think that addresses the
7 population portion of your question.

8 As far as voter turnout and a voting age
9 population, were you asking that in regards to a
10 functional analysis process? I apologize. May I
11 have a clarification, please?

12 VICE-CHAIR ROBINSON: Representative
13 Chambliss, you're recognized to rephrase.

14 REPRESENTATIVE CHAMBLISS: Yeah. I
15 appreciate it. Thank you, sir.

16 What I was trying to figure out is: when
17 you're looking at a seat, right, and you have the
18 population, and then you look at the voting age
19 population, like black voting age population or
20 Hispanic voting age population. Are we looking at
21 how many of them, for example, are registered
22 voters? Are we looking at -- or does that just
23 reflect the total population or the total -- yeah,
24 the total black voting age population of a
25 particular area? So in other words -- how do I say

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1 it? Are we looking at the -- yeah. Are we making a
2 differentiation between population and the
3 population of registered voters?

4 VICE-CHAIR ROBINSON: Representative Byrd,
5 you're recognized.

6 CHAIRMAN BYRD: Thank you. I'll let the
7 staff director continue with her prior answer.

8 VICE-CHAIR ROBINSON: Ms. Kelly, you're
9 recognized.

10 STAFF DIRECTOR KELLY: Thank you, Mr.
11 Chair.

12 Thank you for that clarification,
13 Representative. So the answer is, yes. There is a
14 distinction. So whenever we receive the Census
15 Bureau data, we receive data on total population,
16 which as you're alluding to, those who are in the
17 voting age population groups are inherently those
18 that are 18 or over, that are able and of voting
19 age.

20 So whenever we're looking at our Tier 1
21 requirements, and you're looking at the ability of a
22 minority group to elect a candidate of its choice,
23 you're inherently talking about that segment of the
24 population that has the ability to vote those that
25 are 18 or over. But as our total population numbers

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1 show, those could include those individuals who are
2 below 18 years of age as well.

3 VICE-CHAIR ROBINSON: Representative
4 Chambliss, you're recognized for question.

5 REPRESENTATIVE CHAMBLISS: Thank you.

6 And then when you look at performance,
7 performance means turnout, right?

8 VICE-CHAIR ROBINSON: Representative Kelly,
9 you're recognized -- or actually, Chair Byrd, you
10 want that?

11 CHAIRMAN BYRD: Can you repeat the
12 question, please?

13 VICE-CHAIR ROBINSON: Represent Chambliss,
14 you're recognized.

15 REPRESENTATIVE CHAMBLISS: When you're
16 using the term "performance," like how a district
17 performs, that refers to voter turnout in a
18 particular election? I'm asking that as a question.

19 VICE-CHAIR ROBINSON: Represent Byrd,
20 you're recognized.

21 CHAIRMAN BYRD: So it's the overall
22 functional analysis of these four considerations.

23 VICE-CHAIR ROBINSON: Representative
24 Chambliss, you're recognized.

25 REPRESENTATIVE CHAMBLISS: So there's not -

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1 - I was just making sure that I understood the
2 vocabulary. So it's not the turnout of an election?
3 That doesn't equal performance?

4 VICE-CHAIR ROBINSON: I'll let --

5 CHAIRMAN BYRD: Yeah, I'll ask the staff
6 director if she can help out here.

7 VICE-CHAIR ROBINSON: Sounds good. Ms.
8 Kelly, you're recognized.

9 REPRESENTATIVE KELLY: Thank you, Chair.
10 So it's not a one-for-one synonymous term. So when
11 we talk about performance, that's actually a
12 reference to the overall functional analysis of the
13 district. And as you go district by district, which
14 functional analysis are completed on a district by
15 district, it may vary district by district. So
16 you're looking at, again, that voting age population
17 group. You're looking at the amount of registered
18 voters in that district, which again, are those who
19 have the ability to vote, the voter in turnout,
20 those who actually go to vote, and then the election
21 results. So it's all four of those components
22 whenever we reference performance.

23 REPRESENTATIVE CHAMBLISS: Thank you.

24 VICE-CHAIR ROBINSON: Represent Chambliss,
25 are you done? You're good.

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1 I believe I saw Representative Skidmore.

2 You're recognized for question.

3 REPRESENTATIVE SKIDMORE: Thank you,

4 Mr. Chair.

5 If we could look at Palm Beach County area
6 for a moment. I just wanted to ask, for Districts
7 91 and 90, they seem to -- and I understand that the
8 notion was to keep the cities undivided. But in
9 looking at other coastal districts, both south and
10 north, it seems that these two districts do not keep
11 the coastal communities together.

12 So for example, in 91, you know, the folks
13 who live out along the Atlantic Ocean don't have
14 many of the same concerns as the folks who live
15 closer to the Loxahatchee line there, so different
16 concerns in terms of traffic, economy, environment.
17 So in so much as other districts along the coast
18 were -- look to have been kept that way, what was
19 the thought process for 90 and 91 in particular?

20 VICE-CHAIR ROBINSON: Representative Byrd,
21 you're recognized?

22 CHAIRMAN BYRD: Yeah. Thank you,
23 Representative Skidmore. And so, if I understand
24 your question correctly, you're suggesting
25 communities of interest criteria, which are not part

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1 of our Tier 1 or Tier 2 standards. That's why we
2 made the policy choices regarding districts 90 and
3 91.

4 VICE-CHAIR ROBINSON: Representative
5 Skidmore, you're recognized for question.

6 REPRESENTATIVE SKIDMORE: Thank you,
7 Mr. Chair.

8 And thank you, Chair Byrd. But we can make
9 other decisions to draw them differently, even using
10 those criteria. Can we not? Just as an example,
11 when we talked about the Haitian Creole language
12 protected districts, and we are only using census
13 data. Are we not permitted to use other data that
14 identifies those districts? And in this case, are
15 we not permitted to look at other criteria that
16 would keep those communities together?

17 VICE-CHAIR ROBINSON: Representative Byrd,
18 you're recognized.

19 CHAIRMAN BYRD: Thank you, Representative
20 Skidmore. And just to further add to my prior
21 answer, if you look at District 88, that's a
22 protected district. And sometimes when we're
23 working with the protected districts, that does
24 impact the Tier 2 standards that we use with
25 surrounding districts. So certainly, within our

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1 Tier 2 standards for a non-protected district, if
2 you have recommendations there, there will be
3 opportunities after this Committee to, you know,
4 work with staff and express, you know, your concerns
5 regarding those districts that you referenced.

6 VICE-CHAIR ROBINSON: Further questions.
7 I'll go to Arrington if no other member has that
8 I've heard from.

9 Representative Arrington, you're
10 recognized.

11 REPRESENTATIVE ARRINGTON: Thank you, Vice-
12 Chair.

13 I just want to ask some questions about
14 District 62. I think it's page 34. I don't think
15 we had broke down that district. Thank you. It has
16 a lot of water right there in the middle. So I was
17 just wondering. It looks like it's contiguous with
18 the water. But what land or what roads were
19 considered to connect the east and the west side of
20 the new proposed district?

21 VICE-CHAIR ROBINSON: Representative Byrd,
22 you're recognized.

23 CHAIRMAN BYRD: Yes. And I'm going to let
24 our chief map drawer, Mr. Poredo, give you a
25 detailed answer on that.

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1 VICE-CHAIR ROBINSON: Mr. Poredo, you're
2 recognized.

3 MR. POREDO: Thank you, Mr. Chairman.

4 So District 62 was in the benchmark
5 district, that was District 70, which crossed into
6 four different counties, crossing over the water
7 down into Manatee and Sarasota County. We were able
8 to find this configuration that keeps that district
9 entirely within Pinellas and Hillsborough County,
10 without having to cross the county line of Manatee
11 or even Sarasota. But the water that connects the
12 two land masses where the population is is a valid
13 connector. And that was -- the primary goal was to
14 make that a performing black district as was in the
15 benchmark district.

16 VICE-CHAIR ROBINSON: Representative
17 Arrington, you're recognized for a question.

18 REPRESENTATIVE ARRINGTON: And just to
19 follow up on that one because I think the east and
20 the west side, they're two totally different
21 communities as well. So and talking about that
22 minority access seat, I was just trying to figure
23 out why they're necessarily connected. Because if I
24 understand correctly, it takes about an hour and 45
25 minutes to drive from one side to the other, with

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1 crossing over multiple bodies of water and so forth.

2 VICE-CHAIR ROBINSON: Representative Byrd,
3 you're recognized.

4 CHAIRMAN BYRD: Yes. And I'll let
5 Mr. Poredo elaborate on those considerations.

6 VICE-CHAIR ROBINSON: Mr. Poredo, you're
7 recognized.

8 MR. POREDO: So the considerations that
9 you're alerting to your communities of interest or
10 time to drive from one part of the district to
11 another are not part of our constitutional standards
12 and are not factored into the drawing of the
13 districts.

14 VICE-CHAIR ROBINSON: Representative
15 Arrington, you're recognized for a follow-up.

16 REPRESENTATIVE ARRINGTON: Thank you.

17 And just on another note, I want to add a
18 question regarding the website because I know in the
19 beginning we didn't have translation services
20 available for all of the documents, and now they're
21 translated in Spanish, in Creole. And I wanted to
22 know how long ago that was done. And then also, was
23 there any consideration to translate the public
24 input because that is only available in English?

25 VICE-CHAIR ROBINSON: We'll let Ms. Kelly

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1 take that directly.

2 Ms. Kelly, you're recognized.

3 STAFF DIRECTOR KELLY: Thank you, Mr.
4 Chair.

5 And, Representative, I can't get you an
6 exact date. It would have been after we started
7 interim committee weeks, I want to say around
8 November-ish, if I remember correctly. And I can't
9 get you a more accurate date on that, I don't want
10 to misspeak.

11 As far as the public input goes, there's
12 not. However, as part as the translation service
13 that we use to translate the documents that are on
14 the website, if there is something that's requested
15 to be translated, we do have access to those
16 services, if there's something in particular, you
17 would like to see.

18 VICE-CHAIR ROBINSON: Next hand up I saw
19 up, I believe Representative Woodson.

20 You're recognized.

21 REPRESENTATIVE WOODSON: Thank you, Vice-
22 Chair, and thank you again.

23 My question has to do with the fact that we
24 are considering these maps today, and we currently
25 have three protected minority access seats that are

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1 vacant - two in the House and one in the Senate.
2 Was there any consideration given over the fact that
3 there's no representation to participate in the
4 process? Or was there any other time, maybe it was
5 done that we're not aware so we can make sure that
6 this is addressed in this process as well?

7 VICE-CHAIR ROBINSON: Ms. Woodson, can you
8 maybe rephrase your question? I don't quite
9 understand the question. And you brought the Senate
10 up in there as well, so just kind of direct you to
11 the House side.

12 REPRESENTATIVE WOODSON: Okay.

13 VICE-CHAIR ROBINSON: Just rephrase,
14 please.

15 REPRESENTATIVE WOODSON: Okay. Considering
16 these maps today and knowing that we have two seats,
17 two protected minority access seats that are vacant
18 in the House, is there any consideration that those
19 seats don't have any representation now? Or was
20 there any time maybe it was done so we would know
21 how to address that?

22 VICE-CHAIR ROBINSON: Representative Byrd,
23 you're recognized.

24 CHAIRMAN BYRD: Right.

25 So, Representative Woodson, I think you're

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1 getting at the seats that are currently vacant --
2 the two seats that are currently vacant in the
3 House, and do those communities have a voice. And
4 so, you know, the lines were, you know -- I mean,
5 obviously, we followed our constitutional
6 requirements. Those are protected minority
7 districts, if I understand correctly. And so, you
8 know, there's been public input, the ability for
9 public input, and, certainly, you know, those
10 members who vacated those seats have the opportunity
11 to talk to members who are still here and can talk
12 to them about helping them if there were any
13 specific concerns with those districts.

14 VICE-CHAIR ROBINSON: Ranking Member Daley,
15 you're recognized.

16 REPRESENTATIVE DALEY: Thanks, Mr. Vice-
17 Chair. I appreciate that.

18 Real quick, I want to go back to the
19 Alachua County area. A significant number of folks
20 on the public access website have mentioned keeping
21 the city of Gainesville whole. Actually, I think it
22 was recently as just the other day. So by the way,
23 thank you by the way for updating the public comment
24 prior to this meeting. Can we just dive in there a
25 little bit? Can you take me through why we're still

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1 splitting the city of Gainesville? Because I
2 believe we did in the previous maps and we are in
3 this one as well.

4 VICE-CHAIR ROBINSON: Representative Byrd,
5 you're recognized.

6 CHAIRMAN BYRD: Yes. And I'm going to let
7 Mr. Poredo answer that specifically about the city
8 of Gainesville.

9 VICE-CHAIR ROBINSON: Mr. Poredo, you're
10 recognized.

11 MR. POREDO: Thank you, Mr. Chairman.

12 So the city of Gainesville, as you
13 mentioned in our benchmark map is split by a Tier 1
14 protected black district. That district is
15 recreated here in our map in District 21. But we
16 did manage to keep every other municipality in
17 Alachua County wholly within a district.

18 And we only split the city of Gainesville
19 twice. There is a small -- there are six
20 unpopulated census blocks in the city of Gainesville
21 that are in District 10, and that's because the city
22 of Alachua and Gainesville are interlocked with each
23 other. But otherwise, 100 percent of the population
24 in Gainesville is split between just two districts
25 in trying to minimize that impact that that district

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1 has in the region.

2 VICE-CHAIR ROBINSON: Ranking member Daley,
3 you're recognized.

4 REPRESENTATIVE DALEY: Thank you for that
5 response, and I'll jump back to my kind of previous
6 30,000-foot level line of questioning, if I may.
7 What, if any, persons, groups, or organizations were
8 consulted for policy or legal expertise in drafting
9 the maps? And where would the public or members of
10 this Committee find that information?

11 VICE-CHAIR ROBINSON: Represent Byrd,
12 you're recognized.

13 CHAIRMAN BYRD: Thank you.

14 And no one other than the staff legal
15 counsel.

16 VICE-CHAIR ROBINSON: Ranking member Daley,
17 you're recognized.

18 REPRESENTATIVE DALEY: Thanks, Mr. Chair.

19 So there was a letter that I know was
20 received back on January 7th that asked a series of
21 questions relating to numerous topics as it related
22 to the previous maps. Is it possible -- is staff
23 able to respond based on this new map?

24 VICE-CHAIR ROBINSON: Represent Byrd,
25 you're recognized.

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1 CHAIRMAN BYRD: Ranking member Daley, would
2 you mind repeating your question?

3 VICE-CHAIR ROBINSON: Ranking member Daley,
4 you're recognized.

5 REPRESENTATIVE DALEY: Thanks, Mr. Chair.

6 So I sent a letter to you -- to Chair Byrd
7 on January 7th that outlined a number of questions
8 as it related to the previous maps. My question is,
9 I don't believe I've received a response to those
10 questions, and so I'd like a response to those
11 questions, but now in the context of this proposed
12 map. I have the questions here. I'm happy to ask
13 them, to put them on the record if staff is willing
14 and able to respond based on this new map.

15 VICE-CHAIR ROBINSON: Represent Byrd,
16 you're recognized.

17 CHAIRMAN BYRD: Thank you, Ranking member.

18 And so, you know, I feel like a lot of
19 these questions have been answered during the back
20 and forth on Q and A today. Is there something more
21 specific in one of your questions that you would
22 like to dive into?

23 VICE-CHAIR ROBINSON: Ranking member Daley,
24 you are recognized.

25 REPRESENTATIVE DALEY: Thanks, Mr. Chair.

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1 Just give me a second, if you don't mind. If
2 there's somebody else that has a question.

3 VICE-CHAIR ROBINSON: Any further
4 questions?

5 Representative Chambliss, you're
6 recognized.

7 REPRESENTATIVE CHAMBLISS: Thank you, sir.

8 When it comes to public input besides, you
9 know, using the website, what is the best form that
10 the public could submit their thoughts, suggestions,
11 and our concerns? Is that letter or email to the
12 staff? Is that to the member? What is the best way
13 in which that information can be submitted?

14 VICE-CHAIR ROBINSON: Representative Byrd,
15 you're recognized.

16 CHAIRMAN BYRD: Yeah. Thank you,
17 Representative Chambliss. And just for
18 informational purposes on the House side, we've had
19 18 maps submitted by the public, so there has been
20 public engagement there. And I think the best way
21 for the public to get their input is through the
22 representatives. I mean, that's why we're elected.
23 That's what we're here for. That's what I would
24 encourage individuals to do is go directly through
25 their representatives because, you as the

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1 representatives have direct access to the staff on a
2 daily basis. So while we've given the public
3 multiple avenues, you know, I think the best one is
4 through the representatives.

5 VICE-CHAIR ROBINSON: Representative
6 Chambliss, you're recognized for a question.

7 REPRESENTATIVE CHAMBLISS: Thank you.

8 And then once we receive that information,
9 would we send that directly to staff? Would we wait
10 for the Committee meeting to present that? Once we
11 receive it, how should we present that information?

12 VICE-CHAIR ROBINSON: Represent Byrd,
13 you're recognized.

14 CHAIRMAN BYRD: Thank you.

15 And you can come directly to me as other
16 members have. You can go to staff as other members
17 have. So, you know, there's great access and I know
18 that there's been bipartisan engagement with myself
19 and staff on, you know, questions and concerns,
20 whether the -- regarding census data, regarding how
21 the maps are drawn or specific questions on the
22 district or region.

23 VICE-CHAIR ROBINSON: Represent Valdes,
24 you're recognized.

25 REPRESENTATIVE VALDES: Thank you, Chair

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1 Robinson.

2 I was just wondering back to the Alachua
3 map here. I recall that we had a discussion, and we
4 had, I believe, public testimony that the University
5 of Florida was being split. Is that University
6 whole now, or is it still split with the population?
7 Thank you.

8 VICE-CHAIR ROBINSON: Representative Byrd,
9 you're recognized.

10 CHAIRMAN BYRD: Thank you. I'm going to
11 let Mr. Poredo give a detailed answer on that.

12 VICE-CHAIR ROBINSON: Mr. Poredo, you're
13 recognized.

14 MR. POREDO: Thank you, Member, for the
15 question. The university itself is wholly within, I
16 believe, District 22. But not knowing -- since the
17 university or community is not a legally defined
18 boundary, we don't exactly know where or who would
19 be considered part of that. And that goes to the
20 communities of interest arguments that are not part
21 of our discussion.

22 VICE-CHAIR ROBINSON: Representative
23 Skidmore, you're recognized.

24 REPRESENTATIVE SKIDMORE: Thank you,
25 Mr. Chair.

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1 I was taking a lot of notes during the
2 presentation, so I'm seeing where I had questions.
3 So I apologize for coming back. In District 28, I
4 have a lot of question mark with the 13 people. I
5 think the -- when it was presented, there was an
6 explanation as to why 28 crossed, maybe, a county
7 line. And so I just wanted a little clarification
8 on what those 13 people represented.

9 VICE-CHAIR ROBINSON: Mr. Poredo, you're
10 recognize to answer that directly.

11 MR. POREDO: Thank you, Member.

12 So those 13 people -- so the city of Port
13 Orange and Daytona Beach Shores are interlocked with
14 each other. So in order to keep one of them whole,
15 you have to necessarily split the other. So those
16 13 people in Daytona Beach Shores are kind of in a
17 little bubble that is completely surrounded by the
18 city of Port Orange. So if we could choose to keep
19 Daytona Beach Shores whole, but then there'd be 21
20 people from Port Orange that would be split into the
21 other district. So it's just a choice. We chose to
22 go with the split that would divide the fewest
23 amount of people and make the smallest county split
24 possible, which is why we've kept the city of Port
25 Orange whole and have split Daytona Beach shores.

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1 But it's because those two cities geographies are
2 interlocked with each other.

3 REPRESENTATIVE SKIDMORE: Thank you. I
4 appreciate that response.

5 Follow-up, Mr. Chair.

6 VICE-CHAIR ROBINSON: You're recognized.

7 REPRESENTATIVE SKIDMORE: Actually, second
8 question.

9 So I think we've talked sort of around this
10 issue, in terms of the benchmark map versus the
11 proposed map and the black access, Hispanic access,
12 and majority-minority seats. Given the growth in
13 black and brown people in the State of Florida, is
14 it possible that there could have been more access
15 seats created to have a complete representation of
16 those populations -- or better representation of
17 those populations?

18 VICE-CHAIR ROBINSON: Ms. Kelly, I'll let
19 you handle that directly.

20 STAFF DIRECTOR KELLY: Thank you, Mr.
21 Chair.

22 And thank you, Representative, for that
23 question. So as I've kind of alluded now, I don't
24 mean to sound like a broken record, but it really is
25 truly the foundational step you take whenever you

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1 look at the map. Looking at that population and
2 understanding where those voting age populations are
3 as well, that was the first step as part of our
4 functional analysis. And as was demonstrated in the
5 presentation, and I believe it's been part of a
6 couple follow-up questions as well, where we saw
7 some of that growth, you know, specifically in the
8 Orlando area, as we've talked about, we did take the
9 steps to create that performing district where we
10 saw that the functional analysis warranted that,
11 which does coincide with the growth that we all know
12 has, you know, occurred in Florida throughout the
13 decade.

14 VICE-CHAIR ROBINSON: Representative
15 Skidmore, you're recognized for a question.

16 REPRESENTATIVE SKIDMORE: Thank you,
17 Mr. Chair.

18 Thank you for the response. However, if
19 you had done a functional analysis of all the
20 districts in the state, wouldn't we have a better
21 understanding if there was additional opportunities?

22 VICE-CHAIR ROBINSON: Ms. Kelly, you want
23 to take that directly? You're recognized.

24 STAFF DIRECTOR KELLY: Thank you, Mr.
25 Chair.

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1 The Supreme Court has some language out
2 there as far as when you're supposed to use a
3 functional analysis. And it's inappropriate to do
4 it on a district where there's not a minority Tier 1
5 consideration under effect. And so if you look at
6 some of the voting age population statistics that
7 are in our packets, there are some districts that
8 have, you know, eight, nine percent of a -- you
9 know, a black voting age population. With eight,
10 nine percent of the population, that's not enough to
11 constitute a Tier 1 protective district. And so it
12 would be an appropriate to perform a functional
13 analysis on those districts, as an example.

14 VICE-CHAIR ROBINSON: Are you done?

15 Ranking member Daley, you're good too.

16 Further questions.

17 Seeing none, we are now into -- we have no
18 amendments. We are now into public testimony. And
19 I have two public comment cards. So anyone else,
20 please fill out a card and we will get you up here.

21 Miranda Galindo of LatinoJustice PRLDEF,
22 you are recognized.

23 MS. GALINDO: Hello and thank you. My name
24 is Miranda Galindo. I am senior counsel at
25 LatinoJustice PRLDEF, our southeast regional office.

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1 Thank you for the opportunity to offer this
2 testimony on the concerns of LatinoJustice,
3 regarding the current state of redistricting process
4 and its impact on the Latino community.

5 In short, we oppose the proposed maps
6 because it dilute Latino political power.
7 LatinoJustice has a long history of participating in
8 Florida's redistricting process. And our
9 organization is closely monitoring the work of the
10 Florida Legislature to ensure protection of Latino
11 Floridians rights under the Voting Rights Act of
12 1965 and constitutional norms.

13 Latino Floridians must have an equal
14 opportunity to elect their candidates of choice and
15 remain politically unified in communities of
16 interest. The Florida legislators proposed maps
17 ignored dramatic Latino population growth over the
18 last decade. The redistricting process has been
19 inaccessible for public comment by limited English-
20 proficient Floridians and the many members of the
21 public impacted by the COVID-19 pandemic. The end
22 result has been a dilution of Latino political
23 power. For those Latino population has increased by
24 34 percent since the 2010 census, adding almost one
25 and a half million people to the state and now

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1 comprising over 26 percent of Florida's total
2 population. This incredible demographic growth has
3 benefited the entire state.

4 I'm going to highlight two reasons this
5 process is less than meaningful public
6 participation. The first category is language
7 access. Spanish-dominant Floridians deserve to have
8 their voice heard in meaningful ways and participate
9 in this redistricting process without English-only
10 barriers. This Legislature should ensure that
11 public hearing notifications, information on the
12 www.floridaredistricting.gov website forms to submit
13 public comment and review proposed maps are fully
14 accessible to limited English-proficient Floridians
15 who have an equal right to participate in defining
16 the political boundaries that will endure for the
17 next decade.

18 The existing translation options online are
19 inadequate. For example, links to historical
20 redistricting plans and the resources section as
21 well as the links to fill out a form to submit
22 public comment on the www.floridaredistricting.gov
23 website are only available in English. The
24 Legislature should take all reasonable steps to
25 provide translators at public hearings and provide

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1 double time for individuals using a translator to
2 provide public comment at hearings. LatinoJustice
3 had been monitoring Florida's compliance with
4 federal and state language access guarantees in the
5 area of voting rights for decades. We urge this
6 Legislature to make public participation equally
7 accessible to all Floridians.

8 I'd now like to talk about the category of
9 public participation during the COVID pandemic. On
10 September 8, 2021, LatinoJustice, NALEO Education
11 Fund, and Hispanic Federation submitted a request
12 for virtual public hearings in light of the grave
13 health risks of in-person testimony during the
14 COVID-19 pandemic. Our request went unheeded. I
15 was personally scheduled to testify before the
16 Florida House of Representatives Congressional
17 Redistricting Committee and State Legislative
18 Redistricting Committee on February 11, 2022, and
19 before the Florida Senate Reapportionment Committee
20 on January 13, 2022, but was unable to do so due to
21 being in quarantine under CDC guidelines. There has
22 also been a failure to hold regional public hearings
23 throughout our great state, a deviation from prior
24 cycles.

25 All the proposed Florida House maps have

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1 failed to provide a sufficient level of Latino
2 majority districts proportionate to Latino
3 population growth. For example, all of the Florida
4 House Redistricting Subcommittee plans failed to add
5 any additional majority Latino districts, despite
6 substantial Latino population growth. The 18
7 majority Hispanic voting age population districts
8 that existed under the prior plan are now inadequate
9 in light of Latino population growth.

10 Proposed plan H8009 actually reduces the
11 number of Hispanic voting age population majority
12 districts from 18 to 17 by reducing the number of
13 Latinos in District 44.

14 Every indication in this process points to
15 redistricting proposals that do nothing more than
16 provide Latino Floridians with the same or fewer
17 numbers of majority districts they enjoyed at the
18 end of the decade under existing districts. Both
19 Houses of this Legislature seek to cap the political
20 influence of Latino growth when every demographic
21 indicator showed clearly, that Latino population
22 growth requires more, not the same, and certainly
23 not less.

24 It is clear to LatinoJustice that section
25 two of the Voting Rights Act requires that where

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1 Latino majority districts can be drawn feasibly,
2 they must be drawn. We call on this Commission --
3 in this Subcommittee, excuse me, to draw districts
4 that protect communities of interest, provide the
5 growing Latino community an equal opportunity to
6 elect candidates of its choice, and ensure that they
7 are conducting the necessary performance analysis on
8 all proposed districts, to ensure they do not dilute
9 the Latino vote and share such work products to the
10 general public. Thank you.

11 VICE-CHAIR ROBINSON: Thank you.

12 Cecile Scoon, League of Women Voters of
13 Florida. And that's the only public comment card I
14 have. So if anyone else, please submit one as soon
15 as you can.

16 Ms. Scoon, you're recognized.

17 MS. SCOON: Thank you. Good afternoon. My
18 name is Cecile Scoon. I'm President of the League
19 of Women Voters of Florida.

20 This has been a very informative hearing,
21 and I appreciate all the questions that have been
22 raised by the members and the answers from staff and
23 Committee chairs and vice-chairs and taking good
24 notes.

25 First of all, I would like to say that it

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1 is pretty important to note that for all of the
2 regions, the only precise data information was on
3 the non -- that was provided today and on other days
4 is on the non-mandatory, less important Tier 2,
5 compactness, how many jurisdictions are split, how
6 many cities and counties are split, important
7 information. But it is surprising that all of the
8 functional analysis information has not been
9 provided, especially pretty much every time you
10 talked about a protected district, you said, there's
11 a diminution. There's a decrease, but no numbers
12 were provided.

13 You provided all of this detail on stuff
14 that is supposed to be subordinate to Tier 1 and the
15 Voting Rights Act and nothing on the decrease on the
16 functional analysis: no percentages, no numbers.
17 This is what it was before. This is a decrease
18 today. And I think that's very telling of where the
19 focus has been. It has been, essentially, on the
20 things that are not essential. It has been focusing
21 on compactness and geography.

22 And those things are important, but there
23 should be more focus on the things that are
24 mandatory and that are required by the United States
25 Constitution, the Voting Rights Act, and the Tier 1

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1 of our Florida Constitution, which was brought by
2 the citizens initiative. This is what the citizens
3 want, and now it's our law. And it's just very,
4 very compelling that there was not one chart to show
5 any percentage of what was the decrease of the
6 voting age population of Hispanics and/or African
7 Americans. And I think that really tells you what
8 the focus has been.

9 And I would say that citizens do not have
10 enough information, and I would imagine the
11 representatives do not feel like they have enough
12 information when all the details or every time, it
13 was said compactness and Polsby-Popper and all the
14 other names of the different tests that are used for
15 the Tier 2 was all there. Oh, it's .1 percent. We
16 improved before. You actually have decreases on the
17 voting age populations in the districts that you
18 have drawn for the ones that require protection.
19 And you didn't -- there was not one diagram to show
20 how much. It was simply the repeat comment that was
21 made was that this is constitutional. We have made
22 sure.

23 Well, people need to see the percentages,
24 even more than the percentages that were presented.
25 And so I would ask you to provide that information

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1 to the representatives, to everybody, and to all of
2 the citizens. We want to know what was the numbers,
3 what was the percentage decrease. That is very
4 important.

5 The other thing I wanted to share with you
6 is that the standard that is used in order to
7 determine where there has been -- if there has been
8 any retrogression or whether there has been a
9 negative impact on the opportunities of language or
10 racial minorities to have the opportunity to select
11 a representative of their choice.

12 The gold standard to test is not functional
13 analysis. That's just the start. The gold standard
14 is racially polarized voting analysis. That is what
15 is required, and that has not been done. It's a
16 lesser level of reviewing the data.

17 And why is the racially polarized voting
18 analysis required? Because you need to show in
19 order to show that the minority voice has not been
20 harmed, or their opportunity to select a
21 representative, or that there has been no
22 retrogression. You actually have to compare the
23 voting age -- the functional and actual impact of
24 the different minorities. These are the non-
25 minority votes around them.

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1 And the only way you get that kind of
2 comparison is by doing the racially polarized voting
3 analysis, because otherwise, you don't know for
4 sure, will the group that you have drawn the map
5 around, the minority group, is it too much? Are
6 there too many minorities in that group that should
7 have been put into another district? Because you're
8 basically trying to make sure their voice can be
9 heard over the non-minority voice. So that's why
10 you always have to do that comparison, by just going
11 to the voting age population. That is the beginning
12 of that.

13 And another place -- the thing that you
14 need to look at is with the Hispanic vote in
15 particular because so many of Hispanic community,
16 not everybody is eligible to vote because not
17 everybody is a citizen. So when you're relying and
18 making these judgments, this is a strong enough
19 Hispanic district that you've drawn the lines. I
20 never heard anybody mention anything about checking
21 the numbers against who can actually vote. And that
22 information comes from the American survey that was
23 mentioned several times with regards to, you know,
24 the questions about the Creole language.

25 So even though there is Supreme Court

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1 discussion that talks about functional analysis as a
2 good tool, our Florida Constitution does not tell
3 you that you cannot look at other sources of
4 information. Our Constitution tells you to do the
5 job. To do the job, you use the tools you need.
6 You don't just go, well, I like this tool. I'm only
7 going to use it. There is nothing that stops you
8 from using the appropriate tools that are available
9 to you, such as American Survey that was discussed
10 because that would give you the information of how
11 many of the Hispanic voting age population can
12 actually participate in the franchise.

13 So what I'm saying to you is there's been
14 good starts at looking at the data. There's been
15 good starts at starting with the benchmark, but
16 there's several more cuts of analysis that are
17 required. And the League would ask you to do that
18 additional information and do that additional
19 analysis, not only so you can make decisions, good
20 decisions and the entire legislative body can make
21 good decisions, but the citizens want to know. The
22 citizens are asking. The citizens want to know what
23 are the real numbers, just as you were very precise,
24 again, with the Tier 2 percentages changing point to
25 whatever percent was shown. You were very precise

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1 with that, and they want that kind of precision on
2 the mandatory and very essential data. Thank you.

3 VICE-CHAIR ROBINSON: Seeing no further
4 public testimony, we are in debate.

5 Members, debate.

6 Ranking member Daley, you're recognized.

7 REPRESENTATIVE DALEY: Thank you, Vice-
8 Chair.

9 And you know, look, I just want to cover a
10 couple of things because I do have significant
11 heartburn still over this proposed map. And part of
12 that stems from the fact that, you know, they
13 dropped Tuesday at 4:45, and it is a whopping couple
14 days later and we're already voting it out of
15 Committee. Meanwhile, this Committee has been
16 working for months.

17 And so, you know, part of my issue is that
18 I think there is still analysis that needs to be
19 done and numbers that need to be reviewed and data
20 that needs to be considered that hasn't happened.
21 And actually, both of the speakers mentioned
22 something to that effect.

23 It should come as no shock to anyone here.
24 I've taken issue with the public input process. I
25 think the website is pretty. I think it amounts to

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1 a very transparent trash can when it comes to public
2 comment, especially if folks are not actually
3 reviewing the public comment as I have, as I know
4 several members here have.

5 But I think there are some good points
6 raised in that public comment, and I still take
7 issue with the fact that we didn't do more,
8 especially in the virtual capacity. My 93-year-old
9 grandmother now knows how to use Zoom. I'd venture
10 to guess most Floridians could do so as well, to
11 have a meaningful opportunity to weigh in, if that
12 opportunity was provided. So still have concerns
13 there as well.

14 And then I think the other thing for me is
15 that certain policy decisions have been made for us
16 through the drawing of this map, and there hasn't
17 been a real consideration or conversation about
18 that. And, look, I get it because we've heard it ad
19 nauseam that, you know, Tier 1 and Tier 2, you know,
20 are the guiding principle, and I certainly get that.
21 And that things like communities of interest can't
22 override Tier 1 and Tier 2. I get that.

23 But communities of interest and other
24 considerations can be, have been, and should be
25 considered. And you look at the Haitian Creole seat

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1 issue that Rep Woodson raised, my understanding was
2 that was considered 10 years ago. And that's why we
3 have certain seats in South Florida for that
4 community. So these things can be considered.
5 We're not prohibited. We are not legally prohibited
6 from considering any number of factors as part of
7 our deliberation, and that still hasn't occurred.

8 So I'm going to be down today on the map
9 and want to continue to have conversations about it.

10 Thank you.

11 VICE-CHAIR ROBINSON: Further debate.

12 Representative Arrington, you're recognized
13 in debate.

14 REPRESENTATIVE ARRINGTON: Thank you, Vice-
15 Chair Robinson.

16 I just want to echo Democrat Ranking Member
17 Daley's comments on regards to the amount of time
18 that we've had to see this map. I will not be
19 supporting it today because through this process, we
20 have talked about involving our constituents, and
21 that is our job to do, which most definitely I've
22 been doing.

23 We saw the first draft maps almost two
24 months ago, so we've had time to reach out to our
25 constituents, find out their feedback. But with two

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1 and a half days, we haven't had a chance to review
2 it, and as was noted, definitely, our constituents
3 in Florida have not had a chance to review it. And
4 I do find it really alarming that we were unable to
5 get the answers to Representative Chambliss'
6 questions in regards to minority access seats, what
7 the benchmark was, where we are now for black and
8 Hispanic seats, and what those increases are because
9 we should have increases with the population changes
10 that we've had over the last 10 years.

11 So I will not be supporting this today.
12 And I would love if we had more time to review this,
13 and more time to reach out to the community and have
14 language services available so everybody can
15 participate in this process as they have done in the
16 past. Thank you.

17 VICE-CHAIR ROBINSON: Further debate.
18 Further debate.

19 Seeing no further debate, I'll give a few
20 comments. I'm going to vote in favor of this PCB.
21 I think our charge was legally compliant maps, and
22 we did it. I think these maps are a good product.
23 Our charge is to follow the Constitution and to make
24 legally compliant maps. I've reviewed all of the
25 maps submitted by the public. I think it was a good

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1 public participation process. I'll note in an area
2 I'm familiar with much more compact districts and
3 much more whole areas. So I think it's a great work
4 product.

5 So staff and the Committee should be very
6 much commended on that product, because we
7 accomplished our charge. Certainly, folks could
8 draw maps differently, and we could probably all
9 have different versions; but our charge was a
10 legally compliant map. And I strongly believe that
11 we're there, and so I'll be voting in support.

12 And with that, Chair Byrd, you're
13 recognized to close on your PCB.

14 CHAIRMAN BYRD: Thank you, Vice-Chair, and
15 thank you to all of the members who engaged in
16 lively discussion today, as well as the public
17 comment.

18 Just a few thoughts or a few comments. The
19 functional analysis information is in front of every
20 member today. You all have that information. It's
21 also available on the website. So nothing has been
22 kept from members or the public with respect to the
23 functional analysis information.

24 Furthermore, Members, this isn't any
25 different than any other piece of legislation. We

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1 have a committee process. We have subcommittees and
2 full committees. This bill is moving just like
3 every other policy bill in the Florida House. There
4 is additional time. There will be the full
5 Redistricting Committee. So assuming we pass the
6 bill today -- and I would ask for your favorable
7 support on doing that -- there is still more time to
8 work on this product.

9 We are constitutionally mandated to finish
10 this work within our 60-day time frame, and that
11 includes it going up to the Florida Supreme Court.
12 So while I know that some have suggested that the
13 time frame has been shortened, we've been at this
14 for months. We have workshop maps. And so I would
15 say while we've put a lot of time into this, there's
16 still more time.

17 The State House map before you today a
18 constitutionally compliant work. It is a
19 constitutionally compliant work product that this
20 Committee can be proud of, and I encourage you to
21 support this PCB and move it to the next step of the
22 process, the full Redistricting Committee. Thank
23 you.

24 VICE-CHAIR ROBINSON: Members, please
25 remember to turn your mics on when you vote.

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1 And Chair Byrd having closed on his PCB,
2 DJ, please call the roll on PCB SRS22-01 and
3 announce the vote.

4 THE SECRETARY: Representative Arrington.

5 REPRESENTATIVE ARRINGTON: No.

6 THE SECRETARY: Barnaby has been excused.

7 Bell has been excused. Brannan?

8 REPRESENTATIVE BRANNAN: Yes.

9 THE SECRETARY: Chambliss?

10 REPRESENTATIVE CHAMBLISS: No.

11 THE SECRETARY: Daley?

12 REPRESENTATIVE DALEY: No.

13 THE SECRETARY: Garrison?

14 REPRESENTATIVE GARRISON: Yes.

15 THE SECRETARY: Hart?

16 REPRESENTATIVE HART: No.

17 THE SECRETARY: Hawkins?

18 REPRESENTATIVE HAWKINS: Yes.

19 THE SECRETARY: Maney?

20 REPRESENTATIVE MANEY: Yes.

21 THE SECRETARY: McClain?

22 Representative MCCLAIN: Yes.

23 THE SECRETARY: Melo?

24 REPRESENTATIVE MELO: Yes.

25 THE SECRETARY: Mooney?

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1 REPRESENTATIVE MOONEY: Yes.

2 THE SECRETARY: Persons-Mulicka?

3 REPRESENTATIVE PERSONS-MULICKA? Yes.

4 THE SECRETARY: Robinson?

5 CHAIRMAN BYRD: Yes.

6 THE SECRETARY: Salzman?

7 REPRESENTATIVE SALZMAN: Yes.

8 THE SECRETARY: Snyder?

9 REPRESENTATIVE SNYDER: Yes.

10 THE SECRETARY: Tant has been excused.

11 Valdes?

12 REPRESENTATIVE VALDES: No.

13 THE SECRETARY: Woodson?

14 REPRESENTATIVE WOODSON: No.

15 THE SECRETARY: Ex-officio Clemens?

16 REPRESENTATIVE CLEMENS: Yes.

17 THE SECRETARY: Ex-officio Skidmore?

18 REPRESENTATIVE SKIDMORE: No.

19 THE SECRETARY: Chair Byrd?

20 CHAIRMAN BYRD: Yes.

21 THE SECRETARY: 13 yeas, 7 nays, Mr. Chair.

22 VICE-CHAIR ROBINSON: Please show the PCB

23 reported favorably. I will now pass one of my

24 gavels back to Chair Byrd.

25 CHAIRMAN BYRD: I think I want both of

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1 them.

2 So thank you, Members, once again. I
3 really appreciate all of your engagement and input.
4 And for the members who took on the regions, for
5 Vice-Chair Robinson. I want to thank Ranking Member
6 Daley for his professionalism and engagement with
7 the Committee in working with us to get to this
8 point today.

9 Members, this is a solid, consistent, and
10 constitutionally compliant work product. As I
11 mentioned in my close, the proposed State House map
12 has another Committee stop in the full Redistricting
13 Committee. If you have questions for myself or
14 Chair Leek or staff, I encourage you to reach out to
15 us.

16 As this is most likely our last
17 subcommittee meeting, I want to thank Speaker
18 Sprowls, Chair Leek, and our Committee members. And
19 most importantly, I want to thank Staff Director
20 Leda Kelly, Jason Poreda, Kyle, DJ, Sam, and Karen.
21 I cannot tell you the incredible professionalism and
22 intellect that this group has. I mean, I would put
23 our staff up against any other state in the country
24 on their knowledge. I mean, they have taught me so
25 much through this process and helped me understand

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1 it, and I only understand a fraction of what they
2 do. So I just I can't thank them enough. And not
3 that this is our -- we'll continue to work together
4 as we move to the big Committee. But I just wanted
5 to personally and publicly, on the record, say that
6 we could not be where we were today without them.

7 So this concludes our Committee agenda for
8 today and without further comment remaining moves,
9 we rise. The meeting is adjourned.

10 (END OF VIDEO RECORDING)

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1 CERTIFICATE OF TRANSCRIPTIONIST

2 I certify that the foregoing is a true and
3 accurate transcript of the digital recording provided
4 to me in this matter.

5 I do further certify that I am neither a
6 relative, nor employee, nor attorney of any of the
7 parties to this action, and that I am not financially
8 interested in the action.

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Julie Thompson, CET-1036

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