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Common Cause, et al. v. Cord Byrd

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Common Cause, et al.	)	
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v.	)	4:22-cv-109
	)	
Cord Byrd	)	
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TRANSCRIPTION OF AUDIO RECORDING  
HOUSE REDISTRICTING COMMITTEE  
JANUARY 26, 2022

DIGITAL EVIDENCE GROUP  
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2 CHAIRMAN LEEK: The Redistricting Committee  
3 will come to order.

4 DJ, please call the roll.

5 THE CLERK: Chair Leek.

6 CHAIRMAN LEEK: Here.

7 THE CLERK: Vice-Chair Fine.

8 VICE-CHAIR FINE: Here.

9 THE CLERK: Ranking Member Geller.

10 REPRESENTATIVE GELLER: Here.

11 THE CLERK: Representatives Andrade.

12 REPRESENTATIVE ANDRADE: Here.

13 THE CLERK: Avila. Avila.

14 Bush.

15 REPRESENTATIVE BUSH: Here.

16 THE CLERK: Byrd.

17 REPRESENTATIVE BYRD: Here.

18 THE CLERK: Clemons.

19 REPRESENTATIVE CLEMONS: Here.

20 THE CLERK: Drake.

21 Driskell.

22 REPRESENTATIVE DRISKELL: Here.

23 THE CLERK: Goff-Marcil.

24 REPRESENTATIVE GOFF-MARCIL: Here.

25 THE CLERK: Grall.

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1 REPRESENTATIVE GRALL: Here.

2 THE CLERK: Grant.

3 REPRESENTATIVE GRANT: Here.

4 THE CLERK: Jenne.

5 REPRESENTATIVE JENNE: Here.

6 THE CLERK: Latvala.

7 REPRESENTATIVE LATVALA: Here.

8 THE CLERK: Mariano.

9 REPRESENTATIVE MARIANO: Here.

10 THE CLERK: Omphroy. Omphroy.

11 Payne.

12 REPRESENTATIVE PAYNE: Here.

13 THE CLERK: Robinson.

14 REPRESENTATIVE ROBINSON: Here.

15 THE CLERK: Rommel.

16 REPRESENTATIVE ROMMEL: Here.

17 THE CLERK: Sirois.

18 REPRESENTATIVE SIROIS: Here.

19 THE CLERK: Slosberg-King has been excused.

20 Thompson. Thompson.

21 REPRESENTATIVE THOMPSON: Here.

22 THE CLERK: Tuck.

23 REPRESENTATIVE TUCK: Here.

24 THE CLERK: Ex Officio Skidmore.

25 REPRESENTATIVE SKIDMORE: Here.

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1 THE CLERK: A quorum is present, Mr. Chair.

2 CHAIRMAN LEEK: Thank you, DJ.

3 Members, a few reminders before we begin.

4 Please silence all electronic devices. And if you  
5 wish to make a public comment, please fill out a  
6 form and turn it into the Sergeant Staff. Also as a  
7 reminder for our members and presenters, please  
8 ensure that you turn your microphone on when you are  
9 speaking and off when you are finished.

10 For those of you who would like to play  
11 along at home, Vice-Chairman Fine and I have put the  
12 over/under on the length of this meeting at three  
13 hours. Place your bets accordingly.

14 UNIDENTIFIED MALE: Oh, you're so smart.

15 VICE-CHAIR FINE: I'm the over.

16 CHAIRMAN LEEK: Yeah. You know, I have a  
17 great deal of faith in our members, and I went with  
18 the under. Vice-Chair Fine has less faith, and he  
19 went with the over.

20 Members, today is an exciting day. We're  
21 finally at a point in our Committee process to  
22 review the proposed State House Districts. You may  
23 feel like I'm a broken record at this point, but  
24 education has been extremely important to me and  
25 Speaker Sprowls throughout this redistricting



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1 process.

2 Out the 120 members in the Florida House of  
3 Representatives, only 5 members were around during  
4 the 2012 redistricting cycle, and a couple of those  
5 5 were in the Senate at the time. That means that  
6 115 of the members who are required to take a vote  
7 on these maps were completely new to redistricting.

8 Likewise, it is -- it was by design that  
9 amongst our three redistricting committees, we have  
10 included a total of 62 members of the Florida House  
11 of Representatives or over 50 percent of the Florida  
12 House.

13 I've been encouraged that non-committee  
14 members have attended our meetings to sit, listen,  
15 and learn from member, staff, and counsel  
16 presentations and when members have stopped by the  
17 Committee suite to ask technical and conceptual  
18 questions of me and of staff.

19 I do not take lightly the fact that this is  
20 one of the two constitutionally required  
21 responsibilities that the Legislature must  
22 undertake, the other being passing a balanced  
23 budget, and that the outcomes of this process will  
24 guide Floridians for the next decade.

25 I also want to thank this Committee. I

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1 appreciate the diligence with which you have abided  
2 by our constitutional standards, especially our Tier  
3 1 standards that prohibit favoring or disfavoring  
4 political parties and incumbents. This process  
5 affects each and every one of us. As I'm sure  
6 you'll observe today, even the region that I  
7 currently represent has a proposed new  
8 configuration, and that's okay. It's part of this  
9 process.

10 The redistricting process is one where it  
11 is tempting to let our personal wishes overtake our  
12 constitutional responsibility, and I am proud that  
13 this Committee has continually stayed above the fray  
14 and focused on completing the task at hand in a  
15 constitutionally compliant manner.

16 For today's Committee meeting, I and a  
17 couple other members will walk through the proposed  
18 Committee substitute to explain reach region of the  
19 state. My goal is to describe how the districts are  
20 composed and their statistical highlights, so  
21 members have an understanding of the proposed  
22 district configurations.

23 On a final note, you may have noticed that  
24 the very lengthy bill text for the State House Map  
25 was not included in the meeting materials for

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1 today's meeting. The bill text reflects the  
2 technical census block, block group, and tract  
3 numbers that comprise each district. These are the  
4 exact same districts that are depicted in the  
5 printed map before you. However, to save each of  
6 our printers and the 322 pages of paper, we printed  
7 a copy of the full bill text for the Committee's  
8 viewing, and you can find it right here in front of  
9 DJ.

10 Now, I will hand the gavel over to Vice-  
11 Chair Fine.

12 REPRESENTATIVE BUSH: Mr. Chair, when the  
13 moment comes, I do have a preliminary process  
14 question. If that's after the Vice-Chair speaks, of  
15 course, that's fine.

16 CHAIRMAN LEEK: A preliminary process  
17 question. So I'll explain the process. The process  
18 will be we will present the proposed Committee  
19 substitute, and then we will have questions, take up  
20 debate, and the like. That's the process.

21 REPRESENTATIVE BUSH: But I have a  
22 question.

23 CHAIRMAN LEEK: Okay. What's your  
24 question?

25 REPRESENTATIVE BUSH: Is it the intention

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1 of the Chair and the Committee that we will vote on  
2 this map today?

3 CHAIRMAN LEEK: We will bring this map to a  
4 vote today.

5 REPRESENTATIVE BUSH: At this time, on  
6 behalf of the minority, I would like to request that  
7 the vote be deferred to whenever our next meeting is  
8 scheduled. There was a map that apparently is a  
9 later map that was only dropped -- I think it was on  
10 Monday.

11 We need more time. We've talked about  
12 trying to get some time with staff, but even  
13 internally, we need some more time. We are  
14 receiving public comment from people. I had people  
15 approach me today with comment on these maps from a  
16 constitutional standpoint.

17 We understand that the Chair and the  
18 Committee and leadership is committed to an open and  
19 respectful process. And we simply -- we've talked  
20 about this, and I don't speak just for myself.  
21 We've talked about this among our caucus, and there  
22 is unreadiness to do this awesome task and have it  
23 leave this Committee as soon as this afternoon.

24 Everything else you've talked about is  
25 wonderful. We look forward to hearing all that.



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1 We've got a lot of questions, and whoever took the  
2 over, I suspect is going to do well. But we would  
3 request that the vote on this awesome responsibility  
4 be deferred until the next Committee meeting.

5 CHAIRMAN LEEK: I'm just making sure you're  
6 done. Okay. Thank you. The request is denied.  
7 We've been at this since September. We have had  
8 lots and lots of opportunity to learn, to review the  
9 maps. The map that you're talking about, I think if  
10 you let us actually get through it, you will see  
11 that the changes are minor, mostly technical, and  
12 designed to -- from the member input we've largely  
13 received from your caucus. So I would say let us  
14 get through it. My intent is that we will have a  
15 vote on this today but thank you.

16 Vice-Chair Fine, you are recognized.

17 VICE-CHAIR FINE: Thank you.

18 Members, up for consideration today is PCS  
19 for HJR 7501, joint resolution of apportionment. As  
20 a reminder, we're going to take all questions at the  
21 end of the presentation.

22 Now Chair Leek -- unlike most  
23 presentations, Chair Leek will be presenting it, but  
24 he'll be using others along the way. And rather  
25 than recognize each person, Chair Leek, you can just



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1 recognize the folks who are going to assist you with  
2 the presentation along the way.

3 And with that, Chair Leek, you are  
4 recognized to present the PCS.

5 CHAIRMAN LEEK: Thank you, Vice-Chairman  
6 Fine.

7 The Florida Legislature is directed to  
8 redistrict every 10 years following the decennial  
9 census to account for growing and shifting  
10 population in the state. A decade ago, the Florida  
11 House maps were deemed valid and constitutional by  
12 the Florida Supreme Court, and I'd like to read a  
13 quote from the 2012 ruling.

14 "A review of the House Plan and the record  
15 reveals that the House engaged in a consistent and  
16 reasoned approach, balancing the two Tier standards  
17 by endeavoring to make districts compact and as  
18 nearly equal in population as possible, in utilizing  
19 political and geographical boundaries where feasible  
20 by endeavoring to keep counties and cities together  
21 where possible.

22 In addition, the House approached the  
23 minority voting protection provision by properly  
24 undertaking a functional analysis of voting strength  
25 in the minority districts."

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1 We have upheld these standards in this  
2 process as well.

3 As I mentioned earlier, this Committee has  
4 undertaken several months of education to understand  
5 the redistricting process and uphold the high bar  
6 that was set for this chamber last decade. This  
7 week, we released proposed Committee substitute for  
8 HJR 7501, which proposes State House Districts that  
9 will be used in election cycles starting in 2022.

10 This PCS has been drafted by the Committee  
11 staff with the advice of legal counsel based on the  
12 data from the 2020 census and elections data from  
13 the Florida Department of State to be in alignment  
14 with the Florida Constitution, state and federal  
15 law, as well as court precedent. This map can also  
16 be found on redistricting.gov under the plan name  
17 H000H8013.

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

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1 presentation today. So please feel free to refer to  
2 your package as needed. The package is also  
3 available on our subcommittee's webpage on  
4 MyFloridaHouse.gov.

5 As I move throughout the map, I and other  
6 presenters will describe each region of the state.  
7 As we come across an area of the state where there  
8 has been a change from the PCB that was viewed in  
9 the subcommittee on today's PCS, we will  
10 specifically highlight those changes as well, so  
11 anyone and everyone understands where there are  
12 differences.

13 Now, let's dive in. Let's first look at  
14 the map as a whole. When compared to the benchmark  
15 State House Map, the new proposed State House  
16 Districts have several points of improvement  
17 throughout our Tier 2 standards.

18 When looking at a statewide average of each  
19 district's compactness scores, we have been able to  
20 improve all three mathematical measurements of  
21 compactness. The Reock score improved from .43 to  
22 .45, the convex hull score improved from .80 to .82,  
23 and the Polsby-Popper score improved from .43 to  
24 .45.

25 Where feasible, we also worked to improve

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1 visual compactness of districts, or the eyeball  
2 test, such as no longer having a district that  
3 stretches from Miami-Dade County to Collier County  
4 or a district that splits four counties in the Tampa  
5 Bay region. When looking at the number of county  
6 splits, we've kept similar to the benchmark map,  
7 with 30 counties split last decade and only 31  
8 counties split this decade.

9           The ideal population for this decade's  
10 State House District is 179,485 people. Our overall  
11 deviation range is 4.75 percent, which is well  
12 within the acceptable legal level of population  
13 deviation. Although this deviation increases  
14 slightly from last decade's range of 3.97 percent,  
15 we are proudly able to vastly improve the number of  
16 cities split in our proposed map.

17           In the benchmark map, there were 101 cities  
18 split, which is almost 25 percent of Florida's  
19 incorporated cities, and in the proposed new  
20 configurations, we've been able to decrease that to  
21 just 53 cities split, a near 50 percent improvement.

22           Our proposed State House Districts are also  
23 drawn in compliance with Tier 1 of the Florida  
24 Constitution. The proposed map is inclusive of 18  
25 protected black districts and 12 protected Hispanic



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1 districts. All 30 of these protected minority  
2 districts have had an individual functional analysis  
3 on them to ensure that the new district  
4 configuration does not deny or abridge the equal  
5 opportunity of racial or language minorities to  
6 participate in the political process or to diminish  
7 their ability to elect representatives of their  
8 choice. And as we move throughout the map, I will  
9 highlight these districts as well.

10 All of our districts consist of contiguous  
11 territory, and as I'm sure you're aware, the  
12 Committee has also implemented safeguards to ensure  
13 that we do not draw districts with the intent to  
14 favor or disfavor a political party or an incumbent.

15 Members, as we move through the  
16 presentation today, you will see an analysis tool  
17 referenced called the boundary analysis. This is a  
18 report that is available in our map drawing  
19 application. It helps to quantify the percentage of  
20 Tier 2 compliant boundaries that are used for each  
21 district. Similar to compactness scores, this tool  
22 is to be viewed in context with the other two  
23 options and the surrounding region. There is no  
24 golden threshold to which we look when evaluating  
25 each district, but it serves as another way to



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1 understand the compliance of what is in front of us.

2 Now that we've looked at the statewide  
3 overview, let's begin to review each region of the  
4 state. For each region, we've included a quick  
5 reference in the PowerPoint to the benchmark  
6 district's compactness scores and boundary analysis  
7 when compared to the proposed districts. We will  
8 not touch on each data point for today's  
9 presentation, but we wanted to provide it for ease  
10 of reference.

11 Now, I'd like to recognize Representative  
12 Byrd to present the first region.

13 REPRESENTATIVE BYRD: Thank you,  
14 Chairman Leek.

15 And we are going to start in Northwest  
16 Florida with Districts 1 through 4, four districts  
17 able to be kept within three whole counties,  
18 Escambia, Santa Rosa, and Okaloosa. All  
19 municipalities are kept whole in these counties,  
20 including Pensacola, which serves as a boundary line  
21 for a portion of Districts 1 and 2.

22 District 4 is able to be kept wholly within  
23 Okaloosa County using the county line on three sides  
24 and then as a bump on the top of the district,  
25 similar to the current district, in order to keep

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1 the city of Crestview wholly within the district,  
2 and then uses I-10 for the remainder of its northern  
3 boundary.

4 As we follow these Tier 2 compliant borders  
5 for this district, it becomes 4,252 people over the  
6 ideal population of a district at 183,737 total  
7 population. And as a result, this becomes the  
8 district with the highest overall population  
9 deviation on the map at 2.37 percent over.

10 Districts 5 and 6 are made up of entirely  
11 whole counties. District 5 is comprised of Walton,  
12 Holmes, Washington, Jackson, and in Calhoun  
13 Counties. District 6 is solely Bay County. In  
14 order to keep a district only as a Bay County  
15 without having to break up another county line, this  
16 district becomes the district with the lowest  
17 population deviation in the map at minus 4269 people  
18 under the ideal population at 175,216 total  
19 population, or 2.83 percent under.

20 Districts 4 and 6 create a total deviation  
21 range of 4.75 percent, well, within the acceptable  
22 10 percent deviation range courts have given  
23 legislative redistricting plans. This range allows  
24 Bay County to remain whole and the city of Crestview  
25 to remain whole.

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1 As the House did last decade and  
2 acknowledged by the Supreme Court, setting the  
3 deviation range by balancing the equal population  
4 standard with the other standards such as  
5 compactness and following existing political and  
6 geographical boundaries is appropriate.

7 Districts 5 and 6 are made up of entirely  
8 whole counties, scoring 100 percent on the boundary  
9 analysis following county lines and represents an  
10 improvement from the benchmark.

11 We'll now move east across the Panhandle to  
12 Districts 7 and 9 -- or 7 through 9, and there are  
13 three districts wholly within 13 counties. District  
14 8 includes all of Gadsden County, which is the only  
15 majority black county in the state, and parts of  
16 Leon County.

17 District 8 is a performing majority-  
18 minority black district protected by Tier 1 of the  
19 Florida Constitution and is drawn similar to the  
20 benchmark district. The black voting age population  
21 in this district decreases slightly compared to the  
22 benchmark district, but it is consistent with  
23 respect to the Florida Supreme Court precedent to  
24 maintain existing majority-minority districts.

25 A functional analysis conducted by staff

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1 ensures that the voting strength of the minority  
2 group in both general and primary elections does not  
3 deny or abridge the equal opportunity of racial or  
4 language minorities to participate in the political  
5 process to diminish their ability to elect  
6 representatives of their choice.

7 Because of boundaries in District 8,  
8 Tallahassee is split similar to the benchmark map,  
9 and in this configuration, it is split into only two  
10 districts. To achieve this, unfortunately, it means  
11 splitting Jefferson County. This is due in large  
12 part because Jefferson County's boundaries go from  
13 the state line to the Gulf of Mexico, cutting off  
14 the rest of the Panhandle from the Big Bend.

15 This decision is consistent with the  
16 methodology and application of the constitutional  
17 standards throughout the map, as other cities in  
18 similar situations in counties with a protected Tier  
19 1 district are also split only twice. Specifically  
20 keeping both Gainesville and Ocala split into just  
21 two other districts as we will see later.

22 In addition, nearly 90 percent of  
23 Jefferson's County population is in the section  
24 within District 9 and the split through the county  
25 entirely along U.S. Highway 27. District 7 is made



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1 up of the remaining nine whole counties in this  
2 county combination, as well as a small part of Leon  
3 County that is not in District 8 or 9. District 9  
4 contains all of Madison County, in addition to the  
5 part of Jefferson County previously mentioned, as  
6 well as approximately 150,000 people in Leon County.

7 Next, we'll move over to Northeast Florida,  
8 where there are six districts wholly within two  
9 counties of Nassau and Duval. Districts 13 and 14  
10 are performing black districts protected by Tier 1  
11 of the Florida Constitution.

12 District 14 is also a majority-minority  
13 black district. These districts are located  
14 entirely within Duval County, similar to the  
15 benchmark districts, but both districts were able to  
16 be drawn in a more compact manner.

17 The black voting age population in both  
18 districts decreases slightly compared to the  
19 benchmark districts but is drawn in a consistent  
20 manner with respect to Florida Supreme Court  
21 precedent maintaining existing majority-minority  
22 districts.

23 That change -- the slight changes in voting  
24 age population are acceptable so 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 election 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 or language minorities to  
7 participate in the political process or diminish  
8 their ability to elect representatives of their  
9 choice.

10 All the districts in this county  
11 combination have improved in terms of visual  
12 compactness and use of major roadways and waterways.  
13 The I-295 Loop, St. Johns River, and Beach Boulevard  
14 are some examples of the boundaries used in this  
15 area to create District 16. District 17 uses the  
16 county line, and they share a boundary on Beach  
17 Boulevard with Districts 16 and 14.

18 Unlike the current map, no district uses  
19 the sharp angle of the Nassau-Duval County line,  
20 which helps improve the compactness score of  
21 District 15. District 12 in the southern part of  
22 the Duval County primarily follows the St. Johns and  
23 Ortega Rivers along with the Florida East Coast  
24 Railway.

25 Chair Leek, that is Districts 1 through 17,

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1 and I'd now like to recognize Representative Sirois  
2 to present the next section.

3 REPRESENTATIVE SIROIS: Thank you,  
4 Representative Byrd.

5 Moving into Central Florida, which includes  
6 Districts 10 and 21 through 24, you see that every  
7 county is kept whole except Alachua and Marion.  
8 These are both too big to be kept wholly within a  
9 House District, in addition to having a Tier 1  
10 protected district within them.

11 This whole region is an improvement on  
12 visual and mathematical compactness compared to the  
13 benchmark districts in the area. Every district in  
14 this region improves compactness, except District  
15 23, which is largely because of the water blocks in  
16 Citrus County that are a part of the new census  
17 geography this redistricting cycle.

18 As we move through the region, every city  
19 in Alachua County is kept wholly within a district  
20 except Gainesville. All of the Gainesville  
21 population is included in two districts, similar to  
22 the benchmark map. The municipal boundaries of the  
23 city of Alachua and Gainesville are interlocked. To  
24 keep Alachua whole, six unpopulated blocks from  
25 Gainesville were included in District 10 along with

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1 the entirety of four whole counties in Baker,  
2 Columbia, Union, and Bradford. Every city in Marion  
3 County is kept whole except Ocala, which is split  
4 into two districts, similar to the decisions to keep  
5 Gainesville and Tallahassee in just two districts as  
6 well and consistently apply our constitutional  
7 standards.

8           District 21 is a performing minority  
9 district protected by Tier 1 of the Florida  
10 Constitution. This district is located as part of  
11 Alachua and Marion County in a similar way to the  
12 current benchmark district.

13           The black voting age population in this  
14 district decreases slightly compared to the  
15 benchmark district, but it is drawn in a manner  
16 consistent with Florida Supreme Court precedent that  
17 states slight changes in voting age population are  
18 acceptable so long as a functional analysis is  
19 conducted to ensure the voting strength of the  
20 minority group in both general and primary elections  
21 is at a comparable level that existed in the  
22 benchmark district. This analysis, as with our  
23 other protected districts, has been conducted by  
24 staff.

25           District 24, wholly within Marion County,

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1 and the city of Ocala is split between this district  
2 and the protected District 21.

3 Let's take a look at Clay, St. Johns,  
4 Putnam, and Flagler Counties in Northeastern  
5 Florida. The mathematical compactness of this  
6 region collectively improved compared to the  
7 benchmark. Although some districts went up and  
8 others may have gone down, the overall benefit to  
9 the region is an improvement.

10 District 11 is wholly within Clay County.  
11 District 18 is wholly within St. Johns County, and  
12 the remaining part of St. Johns County is split into  
13 two districts in order to avoid having to split  
14 either Putnam or Flagler County. Every municipality  
15 in St. Johns County is whole, including St.  
16 Augustine in proposed District 19.

17 As we move down towards Central Florida,  
18 Districts 25 and 26 are both wholly located in Lake  
19 County, and the only municipality that is split is  
20 Leesburg between these two districts. Every other  
21 Lake County municipality is wholly located within  
22 one of the districts wholly within Lake County.

23 Out toward the eastern coast, there are two  
24 districts wholly within Volusia County, Districts 28  
25 and 29. Every municipality in Volusia County is



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1 kept whole except Daytona Beach Shores, whose  
2 municipal boundaries are interlocked with the city  
3 of Port Orange. Only 13 people live in this part of  
4 the city that is split. In the benchmark, five  
5 cities in Volusia County are split.

6 CHAIRMAN LEEK: Members, we're going to  
7 pause here to explain some of the changes in the PCS  
8 to Districts 20, 21, 24, and 27. This is the first  
9 area where there is a change between the PCS before  
10 you and the HJR 7501 that passed the state  
11 Legislature subcommittee last week.

12 In this region, the primary change is the  
13 boundary between Districts 20 and 27, which was  
14 adjusted to follow more easily recognizable  
15 roadways. The boundary of District 27 was changed  
16 from Southeast 1st Street to a primary major  
17 roadway, State Highway 40. This also has a benefit  
18 of improving the boundary analysis scores for both  
19 Districts 20 and 27.

20 A corresponding change to the boundary  
21 lines in northeastern Marion County between  
22 Districts 20 and 27 was also made to account for  
23 this change in population between the districts.

24 The boundary of Districts 24 and 21 also  
25 had some minor technical changes made to help offset



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1 the population deviations in these four districts,  
2 but otherwise, they are the same as they were  
3 before. The city of Ocala remains split by just two  
4 districts, Districts 21 and 24, to stay consistent  
5 with other policy choices throughout the map.

6 The black voting age population for the  
7 Tier 1 protected black District 21 remains exactly  
8 the same as it did before, and the functional  
9 analysis, as with our other protected districts, was  
10 conducted by staff.

11 Members, if you hear me reference a  
12 technical change, we're talking about adjusting a  
13 roadblock or other minor adjustment. We'll have a  
14 slide at the end of the presentation to demonstrate  
15 a few of these examples.

16 Representative Sirois, you are recognized.

17 REPRESENTATIVE SIROIS: Thank you, Chair  
18 Leek.

19 Now, let's move further down the coast and  
20 look at Districts 31 through 34. Indian River  
21 County is kept whole, and in order to keep all four  
22 districts within the overall population deviation  
23 range and still keep the districts in a compact --  
24 excuse me -- stacked orientation, three  
25 municipalities in Brevard County are split, Palm

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1 Bay, Melbourne, and Titusville. Every other  
2 municipality is kept whole in this region.

3           These four districts are similar to the  
4 shape of the benchmark, but effort was made to  
5 choose boundary lines that are more recognizable  
6 rather than census block lines that sometimes travel  
7 through certain areas, particularly the barrier  
8 island areas, that do not follow other geographical  
9 features but may provide a slightly better  
10 compactness score.

11           As a result, the average boundary analysis  
12 score of these four districts improves greatly, so  
13 that in the proposed map, the average percentage a  
14 district follows something other than a recognized  
15 political or geographical boundary is under 10  
16 percent.

17           For example, the boundary between District  
18 32 and 33 is a major road, State Road 192, or  
19 municipal lines the entire way across the county.  
20 The boundary between Districts 31 and 32 is made up  
21 of waterways, the municipal lines of Rockledge and  
22 Satellite Beach, as well as the Pineda Causeway.

23           The Central Florida region is an area of  
24 the state along the I-4 Corridor that experienced a  
25 lot of population growth over the last decade. The

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1 combination of Orange, Osceola, and Seminole  
2 Counties are able to fit 13 districts entirely  
3 within this 3 county combination. Within the  
4 original map heard in committee last week, five  
5 districts are kept wholly with Orange County, two  
6 with Seminole County, and one with Osceola County.

7           Districts 40 and 41 are performing black  
8 districts protected by Tier 1 of the Florida  
9 Constitution. These districts are located entirely  
10 within Orange County, similar to the benchmark  
11 districts in the area, but were able to be drawn in  
12 a more compact manner and does not split the city of  
13 Apopka as one of the current benchmark districts  
14 does.

15           The black voting age population in these  
16 districts decreased slightly but are drawn in a  
17 manner consistent with Florida's Supreme Court  
18 precedent that states a functional analysis should  
19 be conducted to ensure the voting strength of the  
20 minority group in both general and primary elections  
21 is at a comparable level that existed in the  
22 benchmark district.

23           This functional analysis conducted by staff  
24 ensure that the proposed district does not deny or  
25 abridge the equal opportunity of racial or language

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1 minorities to participate in the political process  
2 or diminish their ability to elect representatives  
3 of their choice.

4           Districts 43 and 46 are performing  
5 majority-minority Hispanic districts protected by  
6 Tier 1 of the Florida Constitution. One district is  
7 located entirely within Orange County. The other is  
8 entirely within Osceola County.

9           The Hispanic voting age population in these  
10 districts decreased slightly compared to the  
11 benchmark districts, but it is drawn in a consistent  
12 manner with respect to Florida Supreme Court  
13 precedent to maintain existing majority-minority  
14 districts. A functional analysis conducted by staff  
15 ensures Tier 1 compliance.

16           District 47 is a new performing majority-  
17 minority Hispanic district located within Osceola  
18 County and part of Orange County while keeping the  
19 city of St. Cloud whole. This district was drawn as  
20 a Tier 2 compliant district that happens to be a new  
21 performing majority-minority district that is  
22 consistent with Hispanic population growth over the  
23 last decade. A functional analysis, as has been  
24 previously described, ensures Tier 1 compliance.

25           Throughout Orange County, as many major



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1 recognizable roadways are used as possible, while  
2 also keeping cities whole that were previously split  
3 in the benchmark such as Apopka. Only one  
4 municipality is split in Seminole County, Winter  
5 Springs, and as previously said, St. Cloud in  
6 Osceola County is kept whole.

7           District 44 has a significant Hispanic  
8 voting age population of just over 43 percent that,  
9 although doesn't perform now, it may in the future.  
10 This is a significant Hispanic voting age population  
11 within the district that may have some influence in  
12 the electoral performance of the district.

13           Districts 44 and 45 in East Orange County  
14 share a border that consists of I-4 for a small part  
15 in the southern end of that -- of the boundary line  
16 but then uses South Apopka Vineland Road of the  
17 entirely -- excuse me -- for entirely the rest of  
18 the eastern boundary between these two districts.

19           This is an example of an easily  
20 recognizable roadway that was used, a four-lane  
21 divided roadway that the Census Bureau did not  
22 designate as a primary or secondary road. So it is  
23 not included in the roadway portion of the boundary  
24 analysis score, but it is still a recognizable  
25 boundary to use in this region consistent with

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1 Supreme Court precedent.

2 CHAIRMAN LEEK: Thank you. We'll pause  
3 here again to review some of the changes in the PCS.

4 Five districts changed in this region  
5 compared to the original bill, Districts 39 through  
6 42 and 45. You can see the whole area has had  
7 slight adjustments made in order to keep two more  
8 cities whole, Oakland and Edgewood, which we'll talk  
9 about in more detail now.

10 Between Districts 39 and 45 along the  
11 western border of Orange County, the boundary  
12 between the two districts previously followed along  
13 a primary road, Colonial Drive, which split the city  
14 of Oakland. In order to keep this city whole, the  
15 entire city was added to District 45, which could be  
16 seen here as it now reaches up to Lake Apopka.

17 To adjust for the population change,  
18 District 39 now goes a little further south to the  
19 Florida Turnpike, another major roadway. This was a  
20 small change that kept the majority of the boundary  
21 lines on primary roads and municipal lines, which  
22 also -- while also being able to keep a new  
23 municipality whole when compared to the original  
24 map.

25 Now looking at Districts 40, 41, and 42 to

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1 the east. The change between these three districts  
2 was gone in order to keep the city of Edgewood whole  
3 within the district -- within District 42, which was  
4 previously split by the boundary of 41 and 42 along  
5 primary road South Orange Avenue.

6 Shifting this boundary to another primary  
7 road, South Orange Blossom Trail, allows the  
8 district to keep the city of Edgewood whole in  
9 District 42.

10 An additional benefit of keeping Edgewood  
11 whole in District 42 was that the northern boundary  
12 of District 41 shifted to use West Colonial Drive, a  
13 major roadway, along the entire shared boundary of  
14 Districts 40 and 41. These changes also helped the  
15 mathematical and visual compactness of both  
16 districts.

17 Finally, a further change was made to  
18 complete the population movement from Districts 42  
19 to 40 by moving the boundary between the two  
20 districts, Morris City Road (phonetic) to the  
21 municipal lines of Maitland and Eatonville. This  
22 final boundary shift brings all three of the  
23 districts in this region into the overall deviation  
24 range the map had previously established.

25 Representative Sirois -- or excuse me --

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1 Representative Robinson, you are recognized to  
2 present next.

3 REPRESENTATIVE ROBINSON: Thank you, Chair.

4 Now, let's take a look at Polk County.  
5 Much like the ability to keep Bay County whole in a  
6 single district based upon population figures, Polk  
7 County was identified as a possible county where  
8 four districts could be kept entirely within the  
9 county without any other district crossing the  
10 county lines. This is accomplished in this map.

11 This is considerably different than in the  
12 benchmark, where Polk County had two districts and  
13 parts of three others included within it. Our two  
14 workshop options highlighted two distinct  
15 alternatives to drawing these four districts within  
16 the county, keeping every municipality whole in  
17 option A and much more visually and mathematically  
18 compact districts in option B.

19 With the currently proposed configuration,  
20 those two concepts have been merged together as much  
21 as possible so that each of the four districts have  
22 good visual and mathematical compactness while also  
23 being able to keep every city within Polk County  
24 wholly within a district.

25 As we look at the time the region that



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1 includes Sumter, Hernando, and Pasco Counties, there  
2 is enough population to form five districts within  
3 these three counties. Three districts are entirely  
4 within Pasco County, as in the benchmark, but  
5 because of population growth, a fourth district must  
6 now include part of Pasco County as well.

7           The shape of District 52 is primarily due  
8 to keeping Sumter County wholly within it and using  
9 the county boundary line for the entirety of the  
10 eastern portion of the district. It then continues  
11 to use the Hernando County boundary as it travels  
12 west to its remaining population. Within Hernando  
13 County, the district uses the Suncoast Parkway and a  
14 small part of U.S. 98 for the entire western  
15 boundary.

16           District 52 has a boundary analysis score  
17 of 0 percent for nonpolitical or geographic  
18 boundaries when you look at the data packet.  
19 Another way to say it, that is 100 percent of its  
20 boundaries fall onto one of the recognized  
21 categories for boundary usage. This is the only  
22 district other than the three districts in the map  
23 that are made up of only whole counties to have a  
24 score of 100 percent.

25           District 53 is the only district in this

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1 region to cross county lines, but it is the most  
2 compactly shaped district with the highest  
3 compactness score of all three districts while  
4 following as many major roads as possible. The  
5 boundary lines between the districts within Pasco  
6 County all primary use roads that are recognizable  
7 such as Little Road in western Pasco and I-75 and  
8 Old Pasco Road in the eastern part of the county.

9 Moving to the Tampa Bay region, let's  
10 review Districts 57 through 72. This decade, 16  
11 districts were able to be kept in the 3-county  
12 combination of Pinellas, Hillsborough, and Manatee  
13 County. Five districts were kept wholly in  
14 Pinellas, seven districts wholly in Hillsborough,  
15 and two districts wholly in Manatee County.

16 In the original map heard in Committee last  
17 week, only two districts crossed county lines,  
18 Districts 62 between Pinellas and Hillsborough and  
19 70 between Hillsborough and Manatee.

20 District 62 is a performing black district  
21 protected by Tier 1 of the Florida Constitution.  
22 The district is located as part -- as a part of  
23 Pinellas and Hillsborough County. The benchmark  
24 district also included part of two other counties  
25 crossing into four counties in total. So this

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1 configuration is a vast improvement in the visual  
2 and mathematical compactness to the benchmark  
3 district.

4 It also vastly improves the boundary  
5 analysis, going from 30 percent of its borders  
6 following nonpolitical or geographic boundary to  
7 just 9 percent in the proposed map.

8 The black voting age population in this  
9 district increases slightly compared to the  
10 benchmark district, but it is drawn in a manner  
11 consistent with Florida Supreme Court precedent that  
12 states slight changes in voting age population  
13 either way is acceptable as long as a functional  
14 analysis is conducted to ensure the voting strength  
15 of that minority group in both general and primary  
16 election is at a comparable level that existed in  
17 the benchmark district. This analysis conducted by  
18 staff ensures that protection.

19 District 63 is a performing black district  
20 protected by Tier 1 of the Florida Constitution.  
21 This district is located entirely within  
22 Hillsborough County, similar to the benchmark  
23 district, and was able to be drawn in a more compact  
24 manner that follows much better boundary lines  
25 overall when compared to the benchmark district.

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1           The black voting age population in this  
2   district decreases slightly compared to the  
3   benchmark district, but it is drawn in a manner  
4   consistent with Florida Supreme Court precedent.  
5   And the functional analysis ensures that Tier 1  
6   protections are maintained.

7           More municipalities are kept whole in  
8   Pinellas County compared to the benchmark, including  
9   the city of Clearwater, for example.

10          District 64 is another example of a  
11   district that primarily uses major recognizable  
12   roadways in the area, in this case Gunn Highway,  
13   Sheldon Road, Hillsborough Avenue, and Veterans  
14   Expressway. This creates a compact district that  
15   shares a boundary with a protected black district  
16   and also happens to be a majority-minority Hispanic  
17   district in Hillsborough County.

18          All the remaining districts in Hillsborough  
19   County primarily use major roadways, railways, or  
20   rivers whenever possible to create recognizable  
21   boundaries in the eastern part of Hillsborough  
22   County, which only has one incorporated  
23   municipality, Plant City, which is kept whole.

24          CHAIRMAN LEEK: Here, again, we'll pause to  
25   discuss some changes in the PCS to Districts 61, 62,



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1 69 through 72.

2 The difference between Districts 61 and 62  
3 in the PCS is that by adjusting the unpopulated  
4 water blocks that make up the tail of Hillsborough  
5 County from District 62 to District 61, both  
6 districts improve in both visual and mathematical  
7 compactness. The districts now use I-275 and the  
8 Sunshine Skyway as a boundary line between them.

9 Although this does technically bring  
10 District 62 into Hillsborough County, the Supreme  
11 Court has recognized that splits of cities or  
12 counties that contained zero population, as this  
13 one, do not count as another split of that unit of  
14 geography. So we made the decision to make this  
15 change in order to improve the compactness of  
16 Districts 61 and 62.

17 Moving further south into Manatee County,  
18 the district boundaries changed between Districts 71  
19 and 72 in order to keep the city of Bradenton whole  
20 within District 71. These districts shared a  
21 boundary along U.S. 301, which splits the city of  
22 the Bradenton in the original map, but in this new  
23 orientation, the city of Bradenton is able to be  
24 kept whole in District 71, with District 72 taking  
25 in more of the unincorporated population to the

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1 south of the city. This is a slight decrease in  
2 compactness, but a coequal Tier 2 consideration  
3 given an additional city is able to be kept whole.

4           Districts 69, 70, and 72 also improved  
5 their boundary analysis score by following a railway  
6 all the way down through Hillsborough and Manatee  
7 County line to create a more visually compact  
8 District 70. Districts 69 and 72 uses the same  
9 railway as well and now have a shared boundary at  
10 the Hillsborough and Manatee County line.

11           Thank you, Representative Robinson.

12           We'd like to recognize Representative Tuck  
13 to present the next section.

14           REPRESENTATIVE TUCK: Thank you, Mr. Chair.

15           Moving into Southwest Florida, we have  
16 Districts 73 through 80 --

17           CHAIRMAN LEEK: Representative Tuck, can  
18 you move that mic a little closer to you?

19           REPRESENTATIVE TUCK: Better? Maybe?

20           CHAIRMAN LEEK: Okay. Thank you.

21           REPRESENTATIVE TUCK: Okay.

22           This is another example where we were able  
23 to improve the overall compactness of a region when  
24 compared to the current map while also keeping three  
25 districts wholly within Lee County, two wholly

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1 within Sarasota County, and another wholly within  
2 Collier County. Also, we were able to keep six more  
3 counties wholly within a district.

4 District 83 is made up of four of those  
5 whole counties in Hardee, Highlands, Okeechobee, and  
6 Glades County. Charlotte County, which, like Bay  
7 County this decade, was its own House District,  
8 served as the high end of the population deviation  
9 in the benchmark map. But with growth over the  
10 decade, the county outgrew the size of a House  
11 District, and so the county must be split.

12 Even though the county was split, dividing  
13 the county like we did in this configuration between  
14 Districts 75 and 76 using primarily Charlotte Harbor  
15 and the Peace River resulted in helping the  
16 compactness of the entire region and was part of the  
17 key to keeping other districts wholly within  
18 Sarasota and Lee Counties respectively.

19 Cape Coral was kept whole in a district  
20 last decade but is now too big to be kept whole in a  
21 State House District. However, in continuing the  
22 consistent approach to keeping districts wholly  
23 within geographic regions when feasible, the  
24 proposed District 79 is almost entirely within the  
25 city limits, with 99 percent of the population

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1 within the proposed district in the city of Cape  
2 Coral.

3 North Port and Venice are also split due to  
4 the equal population reasons and both divided along  
5 major roadways. Every other municipality is kept  
6 whole in this region, including Fort Myers, Naples,  
7 and Sarasota, among others, with the exception of  
8 Longboat Key because the Sarasota-Manatee County  
9 line is kept intact, and this is one of the four  
10 cities in Florida that is divided between two  
11 counties.

12 In the southeast portion of Florida,  
13 Districts 84 through 86 are made from St. Lucie and  
14 Martin Counties and include a small part of Palm  
15 Beach County. However, by having one of these  
16 districts go into Palm Beach County, in the case of  
17 District 86, that enables eight other districts to  
18 be kept wholly within Palm Beach County.

19 District 84 is kept entirely within St.  
20 Lucie County. Port St. Lucie is one of the 10  
21 cities too big for a House District. So it must be  
22 split, but all the other municipalities in Martin  
23 and St. Lucie County are kept whole.

24 This new configuration compared to the  
25 benchmark districts in this area are much more



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1 compact and respectful of political and geographical  
2 boundary lines. This results in much better visual  
3 compactness and more easily recognizable boundary  
4 lines. The western St. Lucie County line is not  
5 crossed as was necessary a decade ago for equal  
6 population reasons.

7 In Palm Beach County, eight districts, 87  
8 through 94, are able to be kept wholly within the  
9 county. This is only possible when another  
10 district, District 86 from Martin County, takes the  
11 right amount of population in Palm Beach County in  
12 the balancing act of population deviations. In this  
13 case, Palm Beach County had approximately 57,000 too  
14 many people for eight State House Districts. So by  
15 including that amount of population in District 86,  
16 no other district had to cross the Palm Beach County  
17 lines.

18 District 88 is a performing majority-  
19 minority black district protected by Tier 1 of the  
20 Florida Constitution. This district is entirely  
21 within Palm Beach County, similar to the benchmark  
22 district, but this configuration is a vast  
23 improvement in visual and mathematical compactness  
24 to the benchmark district that results in splitting  
25 five fewer cities than it did in the benchmark plan.

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1           The compactness scores of this district are  
2   vastly improved, .08 Reock score in the benchmark to  
3   a .30 in this configuration, .34 convex hull score  
4   to .57 in the proposal. This allowed more  
5   municipalities to be kept whole in the county  
6   overall, as well improve compactness to all the  
7   districts in the region.

8           The black voting age population in this  
9   district decreases slightly compared to the  
10   benchmark district, but it is drawn in a consistent  
11   manner with respect to Florida Supreme Court  
12   precedent to maintain existing majority-minority  
13   districts. A functional analysis also appropriately  
14   ensures Tier 1 compliance.

15           District 89 is a compact, rectangular-  
16   shaped district that is -- that also happens to be a  
17   majority-minority Hispanic district. The shape of  
18   District 93 is largely due to keeping the city of  
19   Wellington wholly within it, creating a point or  
20   arrow, but these are the municipal boundaries of the  
21   city.

22           Districts 90, 91, and 92 in the southern  
23   part of the county keep every municipality whole and  
24   the configuration of all of these counties are  
25   mostly in order to accommodate keeping those cities

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1 whole, such as Boca Raton and Delray Beach.

2 The Loxahatchee National Wildlife Refuge  
3 along Districts 92 and 93 presents unique  
4 geographical considerations when drawing districts,  
5 as the entire area, which is unpopulated, is a  
6 single census block. That is the reason why those  
7 two districts have the bend in their shapes along  
8 the western side of each district and why the entire  
9 district is included in District 94.

10 CHAIRMAN LEEK: Thank you,  
11 Representative Tuck.

12 I'd like to now recognize Representative  
13 Byrd to explain the next section.

14 Representative Byrd.

15 REPRESENTATIVE BYRD: Thank you, Chairman.

16 In the original bill we heard last week,  
17 Broward County had nine districts wholly within the  
18 county and two other districts that crossed the  
19 Broward-Miami-Dade County line. There are no  
20 districts that cross the Palm Beach-Broward County  
21 line.

22 Overall, the 11 total districts that make  
23 up the population of Broward County have all  
24 improved in Tier 2 metrics when compared to the  
25 benchmark districts in this region. The region's

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1 compactness scores have also improved. More cities  
2 are able to be kept whole, including Margate, North  
3 Lauderdale, and Dania Beach.

4 The cities that are split for Tier 1 and  
5 population equalization reasons are split as few  
6 times as feasible while balancing other Tier 2  
7 considerations. For example, the city of Plantation  
8 is split into three districts, which is an  
9 improvement over the benchmark where Plantation is  
10 split five times.

11 Districts 97, 98, and 99 in the northern  
12 part of Broward County and Districts 104 and 105 in  
13 the southern part of the county are performing black  
14 districts protected by Tier 1 of the Florida  
15 Constitution. Districts 97 and 99 are majority-  
16 minority black districts.

17 Districts 97, 98, and 99 are entirely  
18 within Broward County, while Districts 104 and 105  
19 crossover into Miami-Dade County as well. They are  
20 all similar to the benchmark districts but drawn in  
21 a way that is more compact and where more cities are  
22 kept whole, such as Margate and North Lauderdale.

23 The black voting age population in these  
24 districts are similar when compared to the benchmark  
25 districts but are drawn in a consistent manner with



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1 respect to Florida Supreme Court precedent to  
2 maintain existing majority-minority districts and  
3 that states slightly -- that states slight changes  
4 in voting age population either way is acceptable as  
5 long as a functional analysis is conducted to ensure  
6 Tier 1 compliance.

7           District 103 contains all of Weston and is  
8 an otherwise compact district where almost 90  
9 percent of the district boundary follows municipal  
10 lines, major roadways, or the Broward County line,  
11 only deviating to equalize population and also  
12 happens to be a majority-minority Hispanic district  
13 wholly within Broward County.

14           District 100 borders two Tier 1 protected  
15 districts and follows a railway along the majority  
16 of its western boundary that it shares with these  
17 two districts. The visual and mathematical  
18 compactness of the districts in south Broward County  
19 improved from the two workshop options in south  
20 Broward County.

21           Districts 101, 102, 104, and 105 come  
22 together at a single point along a major  
23 intersection of University Avenue and Sheridan  
24 Street, both divided four-lane state roads, State  
25 Road 817 and 822, respectively. Dania Beach and

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1 Cooper City are also municipalities kept whole in  
2 Districts 102 and 101, respectively.

3 CHAIRMAN LEEK: Thank you,  
4 Representative Byrd.

5 Here, again, we'll pause to note some  
6 changes in Districts 95 through 100. First, looking  
7 at Districts 95 and 96, the boundary between them on  
8 the north side has changed so that it follows a more  
9 recognizable boundary line in this area that is also  
10 a major roadway, the Sawgrass Expressway.

11 To account for the small increase in  
12 population in District 95, District 96 was changed  
13 to include a small area north of Sample Road to  
14 equalize the population within the map's overall  
15 deviation range.

16 The changes between Districts 97, 98, 99,  
17 and 100 were made in order to keep the city of  
18 Oakland Park whole in with -- within District 98,  
19 which was split in the original map between three  
20 districts. In order to avoid splitting another city  
21 to keep Oakland Park whole, District 97 shifts its  
22 boundary within the city of Fort Lauderdale, which  
23 is already split. This change brings both Districts  
24 97 and 98 within the map's overall range of  
25 population deviation.

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1           The boundary between Districts 98 and 100  
2   also shift in the Pompano Beach area from the  
3   Florida East Coast Railway to State Highway 9, a  
4   major primary roadway, and continues down to the  
5   Oakland Park municipal line. This was a relatively  
6   minor change to these three districts that enables  
7   Oakland Park, which was into three districts in the  
8   original bill, to be kept wholly within one  
9   district.

10           I'd like to recognize Representative Byrd  
11   to continue.

12           REPRESENTATIVE BYRD: Thank you, Chair.

13           Moving to the northern part of Miami-Dade  
14   County, you can see that in the original PCB,  
15   Districts 104 and 105 both cross the Miami-Dade  
16   County line, and those are the only two districts  
17   that cross this county line. This is an improvement  
18   over the benchmark map that had four districts cross  
19   the Miami-Dade-Broward County lines.

20           District 107, 108, and 109 shown here in  
21   Miami-Dade County are performing black districts  
22   protected by Tier 1 of the Florida Constitution.  
23   Districts 107 and 108 are majority-minority black  
24   districts. All three of these are entirely within  
25   Miami-Dade County.

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1           The black voting age population in these  
2 districts are similar compared to the benchmark  
3 districts with slight changes but are drawn in a  
4 consistent manner with respect to the Florida  
5 Supreme Court precedent to maintain existing  
6 majority-minority districts, and that states slight  
7 changes in voting age population either way is  
8 acceptable as long as a functional analysis is  
9 conducted to ensure the voting strength of the  
10 minority group in both general and primary elections  
11 is at a comparable level that existed in the  
12 benchmark district.

13           District 106 includes the whole city of  
14 Miami Beach, using the municipal line for southern  
15 -- for the southern boundary line. It also keeps  
16 the other eight beach municipalities north of Miami  
17 Beach along the coast all wholly together, and the  
18 district's northern boundary stops at the county  
19 line.

20           Looking at the region, the average of the  
21 compactness scores in these nine districts improves  
22 in two of the three compactness tests, Reock and  
23 convex hull, when compared to the benchmark.

24           Something else all of these districts have  
25 in common is their use of municipal lines.



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1 Districts 107, 108, and 111 each have a small  
2 extension on their east sides, which also impacts  
3 the shape of their neighboring districts, Districts  
4 106 and 112, respectively, and in each case, these  
5 extensions are made in order to keep cities whole  
6 within the districts. District 107 keeps the city  
7 of North Miami Beach whole. District 108 keeps  
8 Miami Shores whole, while District 111 keeps the  
9 city of Medley whole.

10 There are also many other boundary lines  
11 that use municipal lines. For example the boundary  
12 between Districts 109 and 112 is made up of almost  
13 exclusively municipal lines. There are also many  
14 other municipalities whole within these districts.  
15 For example, Opa-locka is kept whole in District  
16 109, Miami Lakes is whole within District 110, Miami  
17 Springs is whole within District 112, and Doral is  
18 whole within District 111.

19 CHAIRMAN LEEK: Thank you. We'll pause  
20 here again to discuss changes in the PCS to  
21 Districts 104 and 107.

22 Let's look at Districts 104, 105, and 107.  
23 In the Subcommittee last week, a member asked a  
24 question regarding the city of Miami Gardens and  
25 whether there was a way to keep the city whole or at

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1 least reduce the number of times it was split. What  
2 you see here in the proposed Committee substitute  
3 reduces the number of times Miami Garden is split  
4 from four to two.

5 As an added benefit of making that change,  
6 when adjusting for population, Districts 105 --  
7 District 105 is now wholly within Broward County,  
8 forming a very square-shaped district that is more  
9 visually and mathematically compact than in the  
10 original bill.

11 This change results in Broward County now  
12 having 10 districts wholly within it, and this  
13 reduces the number of districts that cross the  
14 Miami-Dade-Broward County line to just one district,  
15 District 104, instead of four districts in the  
16 current State House Map.

17 While we're discussing this region of the  
18 state, I'd like to also take a minute to clarify  
19 some of the questions that have been popping up  
20 regarding the Haitian population. In the  
21 redistricting data set that states received from the  
22 Census Bureau, it includes total population counts  
23 by voting age population and racial category and  
24 total population by ethnicity, which the Census  
25 Bureau defines as Hispanic or non-Hispanic. None of

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1 this data provided captures whether an individual  
2 would self-identify as Haitian or any other nation  
3 of origin.

4           There have been questions about whether the  
5 American Community Survey Data should be -- should  
6 supplement the redistricting data. While the ACS  
7 survey is a Census Bureau product, it is an  
8 estimation of population characteristics based on a  
9 small sample of population. The survey is not  
10 conducted at the block level like the decennial  
11 census, which means we do not have the level of  
12 detail and accurate data required to draw at the  
13 census block level.

14           It should also be noted that the five-year  
15 ACS estimation currently available only dates from  
16 2016 to 2019. It is based on the 2010 population  
17 figures, not updated for the 2020 population  
18 figures.

19           Additionally, when looking at Tier 1  
20 requirements and the ability to elect, we must take  
21 elections data into account just like with any other  
22 Tier 1 protected district to perform a functional  
23 analysis. This means we need to evaluate voting age  
24 population, registered voters, voter turnout, and  
25 election results.

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1           When a voter self-identifies their race as  
2 part of registering to vote, the options available  
3 to them do not include Haitian or any other nation  
4 of origin. The categories available to select from  
5 are similar to the racial categories used by the  
6 Census Bureau. Therefore, we cannot conduct a  
7 functional analysis.

8           Members, I know this is very in the weeds,  
9 but this highlights a reason we have encouraged  
10 member feedback throughout this process. Based on  
11 the member feedback we've received, it is our strong  
12 belief that this population is protected within our  
13 current configuration of black protected districts.  
14 I hope this helps to clarify some of the questions  
15 we've received throughout the last couple of  
16 Committee meetings.

17           Allow me to recognize Representative Byrd  
18 to continue.

19           REPRESENTATIVE BYRD: Thank you,  
20 Chair Leek.

21           And our journey around Florida is almost  
22 complete, and I'll conclude with House Districts 106  
23 through 120. Now, looking at Miami-Dade County as a  
24 whole, 13 districts, 106 through 119, are wholly  
25 within Miami-Dade County.



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1 We already talked about Districts 104 and  
2 105, but one other district also crosses the Miami-  
3 Dade County line, District 120, to include all of  
4 Monroe County. Districts 106 and 120 are the only  
5 two districts that include all or part of Miami-Dade  
6 County that are not Tier 1 protected districts.

7 Districts 110, 11, 12, 13, 14, 15, 16, 18,  
8 and 19 in Miami-Dade County are all performing  
9 Hispanic districts protected by Tier 1 of the  
10 Florida Constitution. All nine of these districts  
11 are majority-minority Hispanic districts. They are  
12 also all entirely within Miami-Dade County.

13 The Hispanic voting age population in these  
14 districts are similar compared to the benchmark  
15 districts with slight changes but are drawn in a  
16 consistent manner with respect to the Florida  
17 Supreme Court precedent to maintain existing  
18 majority-minority districts. A functional analysis  
19 conducted by staff ensures each of these districts  
20 are Tier 1 compliant.

21 Looking at the region as a whole, the  
22 average of the compactness scores in these 15  
23 districts improves when compared to the benchmark  
24 districts. The biggest improvement over the  
25 benchmark in these districts in Tier 2 metrics can

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1 be seen in the boundary analysis. In the benchmark,  
2 these 15 districts combined followed an average of  
3 29 percent of nonpolitical or geographic boundaries,  
4 minor neighborhood roads, for example.

5 The districts in the proposed map cut that  
6 almost in half to an average of just 15 percent.  
7 This means that throughout the whole region in  
8 Miami-Dade County, more major roadways, more city  
9 lines, and more geographical features more unique to  
10 the area are used, such as major canals and rivers.  
11 Overall, this results in much better use of  
12 recognizable boundary lines.

13 The shared border of Districts 114 and 115  
14 utilize municipal lines for the majority of its  
15 length. This is to keep the city of Coral Gables in  
16 South Miami whole in District 114 and the cities of  
17 Pinecrest, Palmetto Bay, and Cutler Bay whole within  
18 District 115. This boundary line appears more  
19 jagged than others in the area because of these  
20 municipal lines.

21 District 117 in Miami-Dade County is a  
22 performing black district protected by Tier 1 of the  
23 Florida Constitution that is entirely within Miami-  
24 Dade County. Its shape is similar to the benchmark  
25 district, where Florida City is kept whole within

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1 the bottom part of the district. The biggest  
2 improvement with this district can be seen on the  
3 boundary analysis; 43 percent of the benchmark  
4 district followed nonpolitical or geographic  
5 boundaries, and this proposed configuration drops  
6 that number down to just 15 percent thanks to the  
7 use of the Dixie Highway and Florida Turnpike for  
8 the majority of its border.

9           The black voting age population in this  
10 district is similar compared to the benchmark  
11 districts with a slight change but is drawn in a  
12 consistent manner with respect to Florida Supreme  
13 Court precedent that slightly -- that say slight  
14 changes in voting age population either way is  
15 acceptable as long as a functional analysis is  
16 conducted to ensure the voting strength of the  
17 minority group in both general and primary elections  
18 is at a comparable level that existed in the  
19 benchmark district, which it is.

20           Because of the north-south nature of the  
21 population distribution and the development of the  
22 major roadways in this pattern area, many of the  
23 districts in the region take a more vertical or  
24 north-south orientation. Districts 116, 118, and  
25 119 are examples of this type of configuration while

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1 also using as many major roadways as possible.

2 Finally, District 120 at the southern end  
3 of the state has all the remaining parts of Miami-  
4 Dade County, an entirety of Monroe County, including  
5 the Dry Tortugas.

6 CHAIRMAN LEEK: Thank you, Representative  
7 Byrd.

8 Members, we began with the most eastern  
9 point of the Panhandle, and we've made it all the  
10 way through to the Dry Tortugas. And that, members,  
11 is the proposed map in the PCS.

12 Mr. Vice-Chairman.

13 VICE-CHAIR FINE: Thank you, Chair Leek,  
14 for that brief overview of the bill.

15 Members, Chair Latvala has a little quiz  
16 he's going to hand out on the Polsby-Popper district  
17 scores for each of the districts for you to take a  
18 look at.

19 Now with that aside, we're going to move  
20 into questions.

21 Members, are there any questions on the  
22 PCS? Are there any questions?

23 Okay. Representative Driskell, you are  
24 recognized for a question.

25 REPRESENTATIVE DRISKELL: Thank you,



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1 Mr. Chair and Vice-Chair.

2 I have a number of questions. I want to  
3 start about the Haitian population, Haitian language  
4 populations, but I heard it said that we cannot  
5 conduct a functional analysis of Haitian speakers.  
6 But I want to get clear; is it that we could not  
7 perform a functional analysis or is it that we  
8 decided to not perform a functional analysis?

9 VICE-CHAIR FINE: Chair Leek, I know you  
10 answered this in your presentation, but you're  
11 recognized to answer the question.

12 CHAIRMAN LEEK: Thank you.

13 It's because we cannot. The data is simply  
14 not there. The elections data that we -- that the  
15 state takes in, for instance, doesn't keep that  
16 information that would enable us to perform a  
17 functional analysis.

18 VICE-CHAIR FINE: Thank you.

19 You are recognized.

20 REPRESENTATIVE DRISKELL: Thank you, Chair.

21 But I'm just curious because I know that  
22 that is something that we have to take into effect  
23 per the Constitution. So I guess my question is,  
24 you know, what do we do? I mean, I don't know that  
25 we can ignore the question, right. We can't ignore

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1 that analysis though, right. The Constitution  
2 requires us to conduct a functional analysis on  
3 language minorities; is that -- am I correct in  
4 that? Or --

5 VICE-CHAIR FINE: Chair Leek, You are  
6 recognized.

7 CHAIRMAN LEEK: Okay. I think you raise a  
8 good point. Remember, the Constitution also means  
9 -- or says and prescribes that we could only use the  
10 census data.

11 REPRESENTATIVE DRISKELL: Mr. Chair --

12 CHAIRMAN LEEK: So we --

13 REPRESENTATIVE DRISKELL: -- could you  
14 speak up a little?

15 VICE-CHAIR FINE: Let him finish his  
16 question -- let him finish answering the question,  
17 then I'll recognize you for a follow-up.

18 REPRESENTATIVE DRISKELL: Oh, no. I'm  
19 sorry, Chair Fine. I asked if he could speak up a  
20 little. I can't --

21 VICE-CHAIR FINE: Oh, okay.

22 REPRESENTATIVE DRISKELL: -- really hear.

23 CHAIRMAN LEEK: Oh, okay.

24 REPRESENTATIVE DRISKELL: Yeah. Sorry.

25 CHAIRMAN LEEK: Yeah. So, you know, the

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1 Constitution also requires that we only use the  
2 census data. The census data doesn't include that  
3 information, and so we attack that in other ways.  
4 And we believe through member input and other, you  
5 know, other things that have come to us from you  
6 all, that we've been able to protect those language  
7 minorities in the protected black districts down  
8 south.

9 VICE-CHAIR FINE: If you could -- since I'm  
10 a little further down, go ahead.

11 REPRESENTATIVE DRISKELL: Yeah. Sorry.

12 VICE-CHAIR FINE: You are recognized.

13 REPRESENTATIVE DRISKELL: Thank you,  
14 Mr. Chair.

15 Thank you, Chair Leek.

16 So it sounds like member input was one of  
17 the additional pieces of information that we took  
18 in, but it also sounds like -- and I heard the  
19 limitations that you referenced with regard to the  
20 American Community Survey, the ACS -- but isn't that  
21 the next best data set compared to the census data  
22 for us to consider?

23 VICE-CHAIR FINE: Chair Leek, you are  
24 recognized.

25 CHAIRMAN LEEK: Yeah. Recall that the ACS

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1 doesn't have detailed enough information to be used  
2 in the redistricting process. So, you know, that  
3 would go along lines with the member comments that  
4 we got in this Committee, and we believe that we  
5 have done that and been able to address it in  
6 accordance with what the member who raised the  
7 comments asked in this last Committee.

8 REPRESENTATIVE DRISKELL: Oh.

9 VICE-CHAIR FINE: You are recognized.

10 REPRESENTATIVE DRISKELL: Thank you,  
11 Mr. Chair.

12 So it sounds like -- could you clarify? So  
13 the Committee did rely on -- the Committee staff did  
14 rely on ACS data in conjunction with member input in  
15 doing the functional analysis for Haitian language  
16 speaking districts?

17 VICE-CHAIR FINE: You are recognized.

18 CHAIRMAN LEEK: Thank you, sir.

19 No. We really cannot rely on it. Remember  
20 that the ACS data is from 2010, right. So it's 2010  
21 data that we're trying to impose on a 2020 census.  
22 So that information is just simply not reliable  
23 enough to be useful in this evaluation and analysis.  
24 But we do believe that the issue that was raised and  
25 you were trying to get at was addressed through



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1 member comments in this Committee.

2 REPRESENTATIVE DRISKELL: Okay.

3 VICE-CHAIR FINE: You are recognized.

4 REPRESENTATIVE DRISKELL: Thank you,  
5 Mr. Chair.

6 Was there anything else besides member  
7 comments that was taken into account in conducting  
8 the functional analysis on language minority  
9 districts?

10 CHAIRMAN LEEK: The answer is no. A couple  
11 things there. You can't conduct a functional  
12 analysis based on the ACS data because it doesn't  
13 exist. Our elections department doesn't keep that  
14 information.

15 VICE-CHAIR FINE: You are recognized.

16 REPRESENTATIVE DRISKELL: Thank you.

17 Well, just for clarity because I feel like  
18 I'm kind of going in a circle here. It's not that  
19 the ACS data doesn't exist. It sounds like that a  
20 policy choice was made not to rely on it for the  
21 factors that you outlined earlier; is that correct?

22 VICE-CHAIR FINE: You're recognized, but I  
23 do think Chair Leek has answered the data does not  
24 exist at the level of granularity that's necessary  
25 in order to do this task. But you are recognized,

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1 Chair Leek.

2 CHAIRMAN LEEK: The elections data does not  
3 exist to perform that task, which is what I'm  
4 saying. We can talk about the ACS data, but the ACS  
5 data doesn't contain the elections data. It is not  
6 specific or detailed enough to be used in the  
7 redistricting process.

8 VICE-CHAIR FINE: You are recognized.

9 REPRESENTATIVE DRISKELL: Thank you,  
10 Mr. Chair.

11 What methodology was used in drafting these  
12 maps, and who established that methodology? And was  
13 that decision made public?

14 VICE-CHAIR FINE: Chair Leek, you are  
15 recognized.

16 CHAIRMAN LEEK: Tier 1, Tier 2, federal and  
17 state law, court precedent, and that has been  
18 articulated to this Committee and the subcommittees  
19 sand the population since September.

20 VICE-CHAIR FINE: You are recognized.

21 REPRESENTATIVE DRISKELL: Thank you,  
22 Mr. Chair.

23 So given that we used Tier 1 and Tier 2  
24 criteria, how did Committee staff -- or you, whoever  
25 is driving the policy decisions -- how did you

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1 recognize or harmonize or prioritize those criteria  
2 when they were in tension, especially if they were  
3 in tension within the same tier, where the  
4 Constitution specifically says no one criteria takes  
5 preference over the other?

6 VICE-CHAIR FINE: You are recognized.

7 CHAIRMAN LEEK: Thank you.

8 That's a great question. We spent a lot of  
9 time going through workshop maps, and you guys will  
10 remember that the purpose of the workshop maps was  
11 to demonstrate that there is no one single legally  
12 compliant way to do it.

13 And what it looks like when you make  
14 decisions based on whether you want to follow, you  
15 know -- we're talking about Tier 1 classifications -  
16 - whether you want to follow keeping cities whole,  
17 counties whole, roadways, railways, and those types  
18 of things that are all consistent with your Tier 2  
19 compliance.

20 And in those instances where we, you know,  
21 the map you'll see in some instances, you know,  
22 favors cities, keeping cities whole, and sometimes,  
23 population won't allow that. Sometimes, you know,  
24 our cities, believe it or not, are sometimes  
25 discontinuous. That won't allow it. So we had to

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1 reconcile those tensions as best we could based on  
2 the feedback from this Committee and the members  
3 that we've discussed.

4 VICE-CHAIR FINE: Rep. Driskell, you are  
5 recognized, and I'm going to ask you to wrap up this  
6 line of questions. I'll come back to you, but I  
7 want to make sure everybody gets -- I'll recognize  
8 you may have more questions. But I see the Ranking  
9 Member has got some questions, and I want to make  
10 sure everybody has time. So if you could ask  
11 whatever questions in this line you have, and then  
12 we'll move on. But I will come back to you.

13 REPRESENTATIVE DRISKELL: Thank you,  
14 Mr. Chair. That sounds good. I appreciate that  
15 courtesy.

16 Thank you for that response, Chair Leek.

17 So then did the Committee staff keep a list  
18 of the districts where those criteria were in  
19 tension so that we could take a look back at how  
20 those decisions were made?

21 VICE-CHAIR FINE: You are recognized.

22 CHAIRMAN LEEK: Thank you.

23 You know, I'm not being flippant here, but  
24 the list that we have is in this notebook. And it  
25 goes through -- and you can compare what's in this



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1 notebook to the last draft and the last draft, and  
2 you'll see instances. And we tried to highlight  
3 them here today where those changes kind of  
4 occurred, and you can see where some instances we  
5 chose to use this road over that road. There's no  
6 definitive list other than what is in the bill, you  
7 know, before you.

8 VICE-CHAIR FINE: You are recognized.

9 REPRESENTATIVE DRISKELL: Do we have -- did  
10 I miss it in the packet? Do we have copies of the  
11 graphics that we just went through in that  
12 presentation that have the comparisons?

13 VICE-CHAIR FINE: You are recognized, Chair  
14 Leek.

15 REPRESENTATIVE DRISKELL: Do we have those  
16 in our packet?

17 CHAIRMAN LEEK: Yes. You do. And remember  
18 we talked about the graphics are also available on  
19 the MyFloridaHouse.gov.

20 REPRESENTATIVE DRISKELL: I don't think I  
21 found them in my packet.

22 VICE-CHAIR FINE: Okay. I'm going to move  
23 on to Ranking Member Geller, but I recognize you may  
24 have some more questions later.

25 Ranking Member Geller, you are recognized

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1 for a question.

2 REPRESENTATIVE GELLER: Okay.

3 (Indiscernible)

4 VICE-CHAIR FINE: And then after you take a  
5 while, then we'll move to Rep. Thompson.

6 REPRESENTATIVE GELLER: Okay.

7 I want to start by returning to some  
8 questions that Rep. Driskell was asking about  
9 Haitian language minorities, and I'll do so  
10 recognizing that the Chair has responded  
11 substantially. But I'm still confused. So I have  
12 more questions. All you can do.

13 If I understand correctly, the position of  
14 the Chair and the Committee is that we may not use  
15 the ACS data because the ACS data is insufficient or  
16 deficient in some regards that would make it  
17 suitable for use as guidance in drafting; am I  
18 correct on that?

19 VICE-CHAIR FINE: You are recognized.

20 CHAIRMAN LEEK: Thank you.

21 The -- I think the word that you said in  
22 that question that is most applicable here is  
23 deficient. The data is deficient. Not only is it  
24 antiquated, it is not kept with the specificity and  
25 precision that is necessary to be used in the

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1 redistricting process.

2 REPRESENTATIVE GELLER: Thank you.

3 VICE-CHAIR FINE: You are recognized for a  
4 follow-up.

5 REPRESENTATIVE GELLER: Thank you, Mr.  
6 Vice-Chair -- or Chair, as the case may be for  
7 purposes of this portion.

8 That being said -- and I understand we did  
9 focus specifically on the ACS data -- but we still  
10 have a Tier 1 mandate to look at language minorities  
11 as far as the drafting of the districts that we're  
12 drawing.

13 So if we can't use ACS --

14 VICE-CHAIR FINE: Keep going.

15 REPRESENTATIVE GELLER: -- if we can't use  
16 ACS, were we able to conduct a functional analysis  
17 of the minority language population that speaks  
18 Haitian Creole? How was that functional analysis of  
19 that minority language group conducted using  
20 whatever are permissible materials, and can we see  
21 the results of that functional analysis?

22 VICE-CHAIR FINE: You are recognized,  
23 Chair Leek.

24 CHAIRMAN LEEK: Thank you.

25 I do feel like we've covered this. You

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1 cannot perform a functional analysis without  
2 elections data. That elections data that you're  
3 talking about on language minorities does not exist,  
4 which highlights why it is so very, very important  
5 for member participation in this, which is precisely  
6 what we think we were able to achieve through member  
7 participation in the protected districts.

8 VICE-CHAIR FINE: Okay. Pretty soon, I'll  
9 start to move into the asked and answered territory,  
10 but yeah, Ranking Member Geller, you are recognized.

11 REPRESENTATIVE GELLER: Thank you and  
12 hopefully not until I actually get an answer I  
13 understand, which I understand is a tall order.

14 But -- and, again, I hear what you said,  
15 Chair. My question is does your answer mean that we  
16 did not conduct a functional analysis as to the  
17 minority Haitian language community? Because it is  
18 the -- I'm going to say opinion -- I could say  
19 decision, whatever -- of Chair and the Committee  
20 that there is not sufficient permitted reliable data  
21 to conduct that functional analysis as to that  
22 language group?

23 VICE-CHAIR FINE: I think that question has  
24 been asked repeatedly, but I'll give you one more  
25 shot at it, Chair Leek.



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1 CHAIRMAN LEEK: Yeah. Let me say it again.  
2 The data to conduct a functional analysis can only  
3 be done through elections data. The State of  
4 Florida does not keep elections data. You may not  
5 -- you don't identify as Haitian on your election  
6 data such that you would be able to perform a  
7 function analysis specific to the Haitian language  
8 minority.

9 However, we believe that we've been able to  
10 achieve that through a functional analysis of the  
11 protected black district.

12 REPRESENTATIVE GELLER: Thank you. So let  
13 me try to --

14 VICE-CHAIR FINE: You are recognized.

15 REPRESENTATIVE GELLER: -- move on and  
16 build on that answer, if I might, Mr. Chair.

17 VICE-CHAIR FINE: Great. You are  
18 recognized.

19 REPRESENTATIVE GELLER: In what way does  
20 the functional analysis conducted of the protected  
21 black district actually shed light specifically on  
22 the Creole language minority?

23 VICE-CHAIR FINE: Chair Leek, you are  
24 recognized.

25 CHAIRMAN LEEK: Okay. I'm going to say

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1 this again. A functional analysis involves  
2 elections data. Elections data is not kept on  
3 Haitian language speaking minorities. Elections  
4 data, it's not available. You can't mark it, right.  
5 You can mark yourself black. So what we have to do  
6 is we have to do a functional analysis on the black  
7 protected district, and then with member conduct, we  
8 believe we have addressed that through the maps --  
9 member comment, sorry.

10 VICE-CHAIR FINE: You are recognized.

11 REPRESENTATIVE GELLER: How does the member  
12 comment provide functional analysis as to the  
13 language minority?

14 VICE-CHAIR FINE: You are recognized,  
15 Chair Leek.

16 CHAIRMAN LEEK: Member comment is not  
17 functional analysis.

18 REPRESENTATIVE GELLER: Then I'm --

19 VICE-CHAIR FINE: You are recognized. You  
20 can keep going.

21 REPRESENTATIVE GELLER: Thank you, Mr.  
22 Chair.

23 VICE-CHAIR FINE: All right.

24 REPRESENTATIVE GELLER: Then I'm back to  
25 asking the question, was there a functional analysis

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1 conducted as to the language minority, or is the  
2 answer simply that, no, there's not because there's  
3 not a way to do so?

4 VICE-CHAIR FINE: I think Chair Leek has  
5 answered this repeatedly. You cannot do a  
6 functional analysis on data that does not exist, but  
7 I think what he's saying is we got perspective on  
8 that from members who understand those districts in  
9 which those individuals live. So there's no data on  
10 which to do -- as a former mathematician, you can't  
11 do data when there's no data set. So --

12 REPRESENTATIVE GELLER: So just to beat  
13 that horse one more time --

14 VICE-CHAIR FINE: Yeah. One more time.

15 REPRESENTATIVE GELLER: -- after its death.

16 VICE-CHAIR FINE: And then we're moving on  
17 to -- we're moving on.

18 REPRESENTATIVE GELLER: There is no  
19 functional analysis of the language minority for the  
20 reasons that were just stated.

21 VICE-CHAIR FINE: Chair Leek, do you want  
22 to try again?

23 CHAIRMAN LEEK: Yeah. I'll rely on my  
24 prior answer.

25 VICE-CHAIR FINE: Okay. Okay.

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1 REPRESENTATIVE GELLER: If I could move to  
2 just --

3 VICE-CHAIR FINE: Yeah.

4 REPRESENTATIVE GELLER: -- (indiscernible).

5 VICE-CHAIR FINE: And in a couple minutes,  
6 I'm going to move on to Rep. Thompson, but again --

7 REPRESENTATIVE GELLER: And that's --

8 VICE-CHAIR FINE: -- we'll -- I just want  
9 to keep it moving and let people have chances.

10 REPRESENTATIVE GELLER: Hey --

11 VICE-CHAIR FINE: I'll come back.

12 REPRESENTATIVE GELLER: -- amen to that.

13 VICE-CHAIR FINE: Do you want me to let  
14 Rep. Thompson have a bite at the apple --

15 REPRESENTATIVE GELLER: I --

16 VICE-CHAIR FINE: -- and we'll come back to  
17 you?

18 REPRESENTATIVE GELLER: Just one -- let me  
19 just get this one last one in here.

20 VICE-CHAIR FINE: Okay.

21 REPRESENTATIVE GELLER: It's -- and it's  
22 probably two questions that (indiscernible).

23 VICE-CHAIR FINE: Remember, I'm the over.

24 So --

25 REPRESENTATIVE GELLER: I'm sorry.



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1 VICE-CHAIR FINE: I'm the over. So it's  
2 okay.

3 REPRESENTATIVE GELLER: Self-chosen  
4 terminology.

5 Again, this is building on something that  
6 Rep. Driskell asked. Is it only 30 districts where  
7 there is some impact of a protected or a benchmark  
8 district that functional analyses were performed, or  
9 were functional analyses performed for 120  
10 districts, or is there some other subset besides  
11 those two that would describe how many functional  
12 analyses were conducted -- or how many districts  
13 were subject, I should say, to functional analysis?

14 VICE-CHAIR FINE: Chair Leek, you are  
15 recognized.

16 CHAIRMAN LEEK: All 30 protected districts  
17 had functional analysis performed.

18 VICE-CHAIR FINE: Okay. Follow-up? You  
19 are recognized.

20 REPRESENTATIVE GELLER: Were there any  
21 districts other than those 30 that are protected or  
22 benchmark, whatever we want to call them, where  
23 there was a functional analysis performed?

24 VICE-CHAIR FINE: Chair Leek, you are  
25 recognized.

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1 CHAIRMAN LEEK: Yeah. let me see if I can  
2 give this a shot. I might have to kick this to Ms.  
3 Kelly, but when you start with a benchmark -- and I  
4 want to make sure everybody knows what we're talking  
5 about with benchmark. We're talking about the prior  
6 maps. Those are the benchmark maps, and within  
7 those, there are protected districts. You perform a  
8 functional analysis on those protected districts in  
9 the benchmark maps.

10 Then as you go through and you start your  
11 drawing process, where a protected district was, you  
12 would continue to perform a functional analysis  
13 through the many iterations to make sure it complies  
14 with Tier 1 of our standards.

15 Did I do that okay?

16 VICE-CHAIR FINE: Okay. You are  
17 recognized.

18 REPRESENTATIVE GELLER: So my question is,  
19 in addition to those -- call them benchmark or  
20 protected -- those 30, were there any other  
21 functional analyses performed on other districts  
22 than the 30?

23 VICE-CHAIR FINE: You are recognized, Chair  
24 Leek.

25 Oh, Dr. Kelly, you --

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1 CHAIRMAN LEEK: Let me kick this --

2 VICE-CHAIR FINE: -- you going to go?

3 CHAIRMAN LEEK: -- to Ms. Kelly here.

4 VICE-CHAIR FINE: Yeah. Ms. Kelly, you are  
5 recognized to answer the question.

6 STAFF DIRECTOR KELLY: Thank you, Chair.

7 Thank you, Vice-Chair.

8 So whenever you start with your initial  
9 benchmark map, it's obviously a different map than  
10 the one that we're looking at now. It's the  
11 currently enacted House Districts. So you -- it's  
12 the currently enacted House Districts. So it's a  
13 different map than the one that's before you. So  
14 there's multiple steps, and I'm going to kind of  
15 elaborate on what Chair Leek just said.

16 You begin by looking at all of the  
17 population. So that's population across the entire  
18 state. There are some districts where it would be  
19 inappropriate to perform a functional analysis  
20 because you can tell based on their, you know, the  
21 population statistics alone that it would not  
22 warrant a functional analysis.

23 And the Supreme Court has said that it's  
24 only appropriate to perform a functional analysis in  
25 order to protect and ensure that we're protecting

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1 appropriately those Tier 1 districts. So as you  
2 begin your functional analysis, you look to those  
3 districts. You perform that to understand what  
4 areas and what districts may need to be protected as  
5 you continue your drawing process.

6           Once that's done, you go, and you, you  
7 know, quite frankly, look at the overall population  
8 of the state, which obviously this decade has shown  
9 very large growth but also shows shifts across the  
10 regions of the state as well.

11           So as you continue to draw, you know, based  
12 on Tier 2, based on Tier 1, whenever we come to a  
13 completed, you know, or I'll call it a 95 percent  
14 completed product, you perform your functional  
15 analysis again to ensure that any of your decisions  
16 that you've made throughout that process haven't  
17 negatively impacted the protection that would need  
18 to be applied to a district, to a minority group to  
19 ensure that they can elect a candidate of their  
20 choice.

21           I hope that helps clarify. Thank you.

22           VICE-CHAIR FINE: Are you good for now?

23           REPRESENTATIVE GELLER: No.

24           VICE-CHAIR FINE: No? Okay.

25           REPRESENTATIVE GELLER: Not quite, but that



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1 was --

2 VICE-CHAIR FINE: You are recognized.

3 REPRESENTATIVE GELLER: -- very helpful.

4 But my question is really a numerical one. The  
5 information about the process was very helpful, and  
6 I appreciate that. But my question is, were there -  
7 - and I understand your answer, I think. And,  
8 Chair, if you could move your head just a little.  
9 Thank you. So I can see Ms. Kelly.

10 Are there -- we're looking -- it's based on  
11 the map enacted in 2010. And we looked at that map.  
12 My question is, are there -- were there more than 30  
13 functional analysis of the districts that are  
14 benchmark or protected on the 2010 map that were  
15 performed? Is there -- is it only on those  
16 districts regardless of how they end up here, or  
17 were there others in addition to the 30 where  
18 functional analysis was performed?

19 VICE-CHAIR FINE: Chair Leek, you are  
20 recognized.

21 CHAIRMAN LEEK: Yeah. Let me see if I can  
22 take -- I think you're trying to ask whether a  
23 functional analysis was performed on districts other  
24 than protected districts. I can tell you --

25 REPRESENTATIVE GELLER: Yes.

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1 CHAIRMAN LEEK: -- it's hard to answer the  
2 question that you're asking because functional  
3 analyses is performed on protected districts through  
4 each iteration. So it's not like you can come back  
5 and say there's -- there were two. There were  
6 three.

7 In many instances, to make sure that we are  
8 complying with Tier 1 of our standards, functional  
9 analyses are continually performed on those  
10 protected districts. We did not perform functional  
11 analysis on districts that were not protected if  
12 that helps you.

13 REPRESENTATIVE GELLER: Well, okay. Let me  
14 --

15 VICE-CHAIR FINE: I think that answers --

16 REPRESENTATIVE GELLER: -- follow-up if I  
17 might.

18 VICE-CHAIR FINE: I think that answers your  
19 question.

20 REPRESENTATIVE GELLER: That last. Because  
21 I think the last sentence suddenly -- I think, if I  
22 understood it, answered what I'm asking. Only the  
23 30 districts shown previously and identified as one  
24 of the nomenclatures we used had functional analyses  
25 performed on them?

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1           Because I'm not asking how many functional  
2 analyses were performed because I understand in some  
3 cases, as lines change, you had to do multiples for  
4 the districts that existed. I'm just asking if  
5 there were 32 or 34 districts that had it or just  
6 those 30. If I understood your last sentence, it  
7 seems to say nothing except those 30 districts had  
8 functional analysis; am I understanding that right?

9           VICE-CHAIR FINE: Chair Leek, you are  
10 recognized.

11           CHAIRMAN LEEK: Yeah. I believe you are.  
12 The 30 protected districts are the ones that we  
13 performed the functional analysis on.

14           REPRESENTATIVE GELLER: I'm good for now,  
15 Mr. Chair. Thank you.

16           VICE-CHAIR FINE: Okay.

17           REPRESENTATIVE GELLER: I'll come back with  
18 others when you --

19           VICE-CHAIR FINE: All right.

20           REPRESENTATIVE GELLER: -- (inaudible).

21           VICE-CHAIR FINE: Yeah. I just want to  
22 make sure everyone gets some --

23           REPRESENTATIVE GELLER: Yes, sir.

24           VICE-CHAIR FINE: -- gets a bite.

25           REPRESENTATIVE GELLER: Thank you.

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1 VICE-CHAIR FINE: So Representative  
2 Thompson, you are recognized.

3 REPRESENTATIVE THOMPSON: Thank you,  
4 Mr. Chair.

5 I have a question with regard to the use of  
6 census data as it relates to the prison population.  
7 They are counted in the census data; however, they  
8 cannot vote. Was there any adjustments made to take  
9 that into consideration?

10 VICE-CHAIR FINE: Chair Leek, you are  
11 recognized.

12 CHAIRMAN LEEK: I think I can answer your  
13 question.

14 The Florida law and the Constitution  
15 requires we use the census data as given to us. The  
16 census data includes -- begins with where somebody  
17 resides, and in those instances, the prisoner is  
18 considered to be residing where they are when they  
19 answered the census.

20 I don't know of any analysis done on  
21 whether they could or could not vote or had their  
22 rights restored. I just don't know.

23 VICE-CHAIR FINE: Rep. Thompson, you are  
24 recognized.

25 REPRESENTATIVE THOMPSON: Thank you.



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1 Are you aware of any prison inmates who are  
2 allowed to vote in the state of Florida?

3 VICE-CHAIR FINE: And I'm going to let  
4 Chair Leek answer that question, but we want all the  
5 questions to be kept to the topic of the PCS. So I  
6 think whether you're in prison and can vote or not  
7 is not really the subject of the PCS.

8 So Chair Leek, if you want to answer that,  
9 but I'd ask members -- there's enough people that  
10 want to ask questions. Let's keep the questions to  
11 the bill at hand.

12 CHAIRMAN LEEK: Thank you. I'm not aware.

13 REPRESENTATIVE THOMPSON: Thank you.

14 Another --

15 VICE-CHAIR FINE: You are recognized.

16 REPRESENTATIVE THOMPSON: -- question.

17 Thank you.

18 In the review, the overview, it was stated  
19 that House District 47 is a Hispanic access district  
20 and is a new Hispanic access district, and when we  
21 looked at the compactness scores, 47 existed before  
22 it was Hispanic access. There's no benchmark map.  
23 Why is that?

24 VICE-CHAIR FINE: Chair Leek, you are  
25 recognized.

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1 CHAIRMAN LEEK: Let me defer to Mr. Poreda  
2 (phonetic).

3 VICE-CHAIR FINE: Our chief map drawer.  
4 You are recognized.

5 MR. POREDA: So District 47 does not have  
6 an analogous district compared to the benchmark map.  
7 That is why it is a new district or a new performing  
8 majority-minority Hispanic district in that area.  
9 Its boundaries were created in order to keep the  
10 city of St. Cloud whole, as well as use many of the  
11 major roadways as it goes up into Orange County.  
12 But there isn't an analogous district to compare it  
13 to. So it does not have a benchmark comparison.

14 REPRESENTATIVE THOMPSON: Mr. --

15 VICE-CHAIR FINE: You are recognized.

16 REPRESENTATIVE THOMPSON: Is that also true  
17 for 44, which does not have benchmark data?

18 VICE-CHAIR FINE: You are recognized,  
19 Mr. Poreda.

20 MR. POREDA: I would have to double check  
21 what we compared District 44 to, but there is no  
22 district in the benchmark that had a similar  
23 Hispanic voting age population. But that is also  
24 not a performing district. That is a district that  
25 has a significant Hispanic age voting population in

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1 the current map in this proposal that you see here,  
2 but it is not something that we evaluated for a  
3 functional analysis or anything like that.

4 There are many other districts throughout  
5 the state where, as population has shifted  
6 generally, there might not be an exact analogous  
7 district to compare compactness data to, and that  
8 might be why some districts, as populations have  
9 shifted, don't really have a fair comparison to  
10 compare compactness scores.

11 VICE-CHAIR FINE: Yes. You are recognized.

12 REPRESENTATIVE THOMPSON: Thank you.

13 Can you describe for me how you define a  
14 Hispanic access district? What characteristics go  
15 into helping you determine that this would be a  
16 Hispanic access district?

17 VICE-CHAIR FINE: Chair Leek, you are  
18 recognized.

19 CHAIRMAN LEEK: Yeah. So the same way you  
20 would, you know, a black performing district. It's  
21 a performing district that confirms with Tier 1.  
22 Similar process and analysis, but it's a performing  
23 district that conforms with Tier 1.

24 REPRESENTATIVE THOMPSON: Okay.

25 VICE-CHAIR FINE: You want to keep going?

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1 Again, you can have a second bite if you want to  
2 think about it for a little bit.

3 REPRESENTATIVE THOMPSON: Thank you.

4 Based on the census, which is what you used  
5 to draft the districts, can you tell me where the  
6 black and brown individuals who came into the state  
7 generally, in terms of significant populations,  
8 where did they settle?

9 VICE-CHAIR FINE: I don't know that census  
10 data is really a subject of the bill, but you're  
11 welcome to answer that if you'd like.

12 CHAIRMAN LEEK: Yeah. So, you know, we can  
13 see where growth happened but not on the level of  
14 detail that you're talking about, right. So we know  
15 there was a lot of growth because the census data  
16 will tell us a lot of folks came to the Orlando area  
17 -- what was it -- I think South Florida as well but  
18 not at the level of data that I think you're asking  
19 about.

20 REPRESENTATIVE THOMPSON: I have a  
21 question.

22 VICE-CHAIR FINE: You are recognized.

23 REPRESENTATIVE THOMPSON: Thank you.

24 The response that I got just a few minutes  
25 ago indicated that you look at performance in terms



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1 of defining a Hispanic access district, and House  
2 District 44 has not performed as a Hispanic access  
3 district. So if it's performance, how did you  
4 determine that this was a performance -- I'm sorry  
5 -- a Hispanic access district?

6 CHAIRMAN LEEK: I'm going to kick this over  
7 to Mr. Poreda again, but just to be clear, you know,  
8 access districts still, you know, it's still a  
9 terminology that is around but is not one that's  
10 used anymore in the law. But beyond that, let me  
11 kick it over to Mr. Poreda.

12 VICE-CHAIR FINE: You are recognized,  
13 Mr. Poreda.

14 MR. POREDA: Thank you, Mr. Chairman.

15 So if you remember in our two workshop  
16 options that we presented in this area, there was  
17 actually four districts that were over 50 percent  
18 Hispanic voting age population. And we did run a  
19 functional analysis on those four districts, and two  
20 of them did not perform, so the two ones that were  
21 lower down toward closer to 50 percent.

22 The two that were higher, closer to what is  
23 in the map that you see before you, they did perform  
24 like the two benchmark districts did that were of  
25 similar Hispanic voting age population in the map.

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1 As a result, we made an adjustment in the  
2 proposal that you see here so we could ensure that  
3 three districts would perform at similar levels to  
4 the benchmark -- those two other benchmark  
5 districts, even though District 47 doesn't have an  
6 exact analogous to compare it to. It was not  
7 necessary to run a functional analysis on District  
8 44, having previously noted that those two other  
9 districts closer to 50 did not perform.

10 REPRESENTATIVE THOMPSON: Thank you, Mr.  
11 Chair.

12 VICE-CHAIR FINE: All right. We're going  
13 to move on to Representative Omphroy. You had some  
14 questions? I can't really see you. So --

15 REPRESENTATIVE OMPHROY: Sorry.

16 VICE-CHAIR FINE: -- just like wave if you  
17 want --

18 REPRESENTATIVE OMPHROY: Thank you so much.

19 VICE-CHAIR FINE: -- wave if you want a  
20 follow-up.

21 REPRESENTATIVE OMPHROY: Thank you so very  
22 much --

23 VICE-CHAIR FINE: You are recognized.

24 REPRESENTATIVE OMPHROY: -- Chair.

25 I just want to understand more of the

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1 reasoning as to why the city of Fort Lauderdale's  
2 small portion was moved into District 97 and why  
3 North Lauderdale was kept whole.

4 I want to point out that North Lauderdale  
5 has two Haitian Americans that were recently elected  
6 to office, and the reasoning is I'm just trying to  
7 see why we made the move to include city of Fort  
8 Lauderdale, a small portion, but to keep the city of  
9 North Lauderdale whole.

10 VICE-CHAIR FINE: You are recognized.

11 CHAIRMAN LEEK: Thank you. Let me kick  
12 that to our chief map drawer, Mr. Poreda.

13 MR. POREDA: So if you remember in the  
14 previous one, we were going through the changes  
15 between the PCS and the PCB. That change was done  
16 in order to keep the city of Oakland Park whole. So  
17 the city of North Lauderdale is still whole within  
18 District 97, but the city of -- there's a lot of  
19 municipalities in that area. Some of them actually  
20 interlock with each other.

21 So rather than split an additional city,  
22 some population was moved within the city of Fort  
23 Lauderdale, which was already split, and that helped  
24 us keep the city of Oakland Park whole in District  
25 98.

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1 VICE-CHAIR FINE: Follow-up? You are  
2 recognized.

3 REPRESENTATIVE OMPHROY: Thank you.

4 VICE-CHAIR FINE: Are you good? Okay.  
5 You're good.

6 All right. So are there any members who  
7 have not asked a question yet who'd like to?

8 UNIDENTIFIED FEMALE: Bush.

9 VICE-CHAIR FINE: Okay. Representative  
10 Bush, you are recognized, and then Representative  
11 Goff-Marcil, you'll be after.

12 REPRESENTATIVE BUSH: Thank you,  
13 Chairman Fine.

14 For clarity and information purposes, in  
15 your joint resolution for 7501 reapportionment --  
16 apportionment, which includes the Senate as well as  
17 the House, my question would be will we have an  
18 opportunity for the Senate maps to be able to have  
19 some input or to hear them in a committee or to make  
20 an amendment or vote on those maps -- or should I  
21 say vote on the map? And I do have some concerns  
22 just about the minority access district, and I  
23 wanted to give some type -- some input in that. And  
24 so I think the question is, will we have an  
25 opportunity to have a committee process with those



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1 Senate map -- with the Senate map?

2 VICE-CHAIR FINE: So Rep. Bush, that's not  
3 in the bill today. But --

4 REPRESENTATIVE BUSH: Okay.

5 VICE-CHAIR FINE: -- I'm going to still  
6 let, Chair Leek, if he'd like to --

7 REPRESENTATIVE BUSH: I apologize.

8 VICE-CHAIR FINE: -- answer the question,  
9 he can.

10 CHAIRMAN LEEK: Yeah. As a process  
11 question and as is customary for us, we have an  
12 agreement with the Senate that we will defer to the  
13 Senate to draw Senate maps and that they will defer  
14 to us to draw House maps, you know. And if you -- I  
15 know that they've already voted their maps off the  
16 floor. So if you wanted to have input in that  
17 process, it would have had to have been through your  
18 Senator, but that time has come and gone. At the  
19 end of the day, we will pass a joint resolution that  
20 includes both the Senate maps and the House and move  
21 it forward.

22 REPRESENTATIVE BUSH: Thank you, sir.  
23 Thank you.

24 VICE-CHAIR FINE: You good? Okay.

25 Representative Goff-Marcil, you are

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1 recognized.

2 REPRESENTATIVE GOFF-MARCIL: Thank you,  
3 Vice-Chair, Chair.

4 Could you tell me what persons groups or  
5 organizations were consulted for policy or legal  
6 advice in drafting this current map and where would  
7 the public or the members of this Committee go to  
8 find that information?

9 VICE-CHAIR FINE: Chair Leek, you are  
10 recognized.

11 CHAIRMAN LEEK: Thank you.

12 The only people consulted were you all,  
13 members of this Committee, and our staff and legal  
14 counsel, excuse me, counsel we've retained as well.

15 REPRESENTATIVE GOFF-MARCIL: Follow-up.  
16 Follow-up.

17 VICE-CHAIR FINE: And, Rep. Goff-Marcil, if  
18 you have a follow-up, if you could talk more  
19 directly into the microphone, it's --

20 REPRESENTATIVE GOFF-MARCIL: Thank --

21 VICE-CHAIR FINE: -- a little hard to hear.

22 REPRESENTATIVE GOFF-MARCIL: -- thank you,  
23 Vice-Chair.

24 VICE-CHAIR FINE: You are recognized. Go  
25 ahead.

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1 REPRESENTATIVE GOFF-MARCIL: Thank you.

2 Were the staff contacted by members of the  
3 public, lobbyists, or members are these maps, and  
4 where would we find that information?

5 VICE-CHAIR FINE: Chair Leek, you are  
6 recognized.

7 CHAIRMAN LEEK: Any member of the public  
8 can make comment through the redistricting portal,  
9 but otherwise no.

10 VICE-CHAIR FINE: Rep. Goff, you are  
11 recognized.

12 REPRESENTATIVE GOFF-MARCIL: Were there any  
13 efforts to go on the road or at least have  
14 accommodation of remote testimony to the public to  
15 educate them about this process and how we were  
16 going to proceed with this process?

17 VICE-CHAIR FINE: I don't know that that's  
18 the subject of the bill. I mean, I do think the  
19 internet is this really cool thing where you can go  
20 and look at stuff no matter where you are in the  
21 state. But, Chair Leek, if you want to take a shot  
22 at that.

23 CHAIRMAN LEEK: Yeah. So, you know, if we  
24 were sitting in court, we might object because the  
25 question is compound. But there were efforts, and

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1 we made available the website for anybody to provide  
2 public input. And then I would also object to that,  
3 you know, ask questions to which you don't know the  
4 answer because you've been here through the whole  
5 process, and you know we didn't go on the road.

6 VICE-CHAIR FINE: Follow-up?

7 REPRESENTATIVE GOFF-MARCIL: Thank you,  
8 Vice-Chair.

9 I would like to say I didn't quite know the  
10 answer to that question. I know we have the  
11 redistricting place to -- that the public can go to,  
12 the redistricting website, but I do not know how  
13 much the public input was used to make this map.

14 VICE-CHAIR FINE: That's a --

15 REPRESENTATIVE GOFF-MARCIL: How would I  
16 know that?

17 VICE-CHAIR FINE: That's a different  
18 question than what you asked before, but would you  
19 like to ask that question?

20 REPRESENTATIVE GOFF-MARCIL: Yes, please.

21 VICE-CHAIR FINE: So ask it then. Go  
22 ahead.

23 REPRESENTATIVE GOFF-MARCIL: Could you tell  
24 me -- thank you, Vice-Chair.

25 Could you tell me how much of the public



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1 input from the website was used in making these  
2 maps?

3 VICE-CHAIR FINE: Chair Leek, you are  
4 recognized.

5 CHAIRMAN LEEK: Yeah. I don't think we can  
6 quantify it because we left it to members like you  
7 and the other members in this Committee and members  
8 in the Legislature to go out in their communities  
9 and retrieve that information and charge them with  
10 bringing it forward. So to the extent that you did  
11 that or any other member did that with staff or  
12 anyone else, it was considered.

13 REPRESENTATIVE GOFF-MARCIL: One more.

14 VICE-CHAIR FINE: You are recognized.

15 REPRESENTATIVE GOFF-MARCIL: Thank you,  
16 Vice-Chair.

17 It would be difficult for us to do that  
18 when we were not given the maps until about a week  
19 ago. Could you please expand on how we would have  
20 done that without being able to talk about or know  
21 anything about what maps were going to be in front  
22 of us?

23 VICE-CHAIR FINE: Again, I think that's a  
24 different question than the question you asked. The  
25 question before was, was public input taken into the

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1 process. I think now you're asking a question about  
2 public input on these particular PCSs; is that your  
3 question?

4 REPRESENTATIVE GOFF-MARCIL: Thank you,  
5 Vice-Chair.

6 I was asking if there was public input.  
7 That is one of my questions, but then I was told  
8 that I was supposed to get the public input by going  
9 to or having a town hall. And I really did want to  
10 have a town hall, but it was really difficult to  
11 have a town hall without having any idea what the  
12 maps could be. So could you explain to me how I  
13 could have had a town hall when I have no idea what  
14 the map is going to look like?

15 VICE-CHAIR FINE: Sure. And I'll let Chair  
16 Leek answer that, but there's two separate  
17 questions. There's public input on the  
18 redistricting process, and then there's public input  
19 on this PCS. But -- and I'll let Chair Leek decide  
20 how he wants to bifurcate that in his answer.

21 REPRESENTATIVE GOFF-MARCIL: Thank you.

22 CHAIRMAN LEEK: Yeah. You know, the maps  
23 that you have before you are a variation of the maps  
24 that you had before you, which are a variation of  
25 the maps that were posted in the subcommittees and

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1 came through.

2 So it's not like there was four days.

3 There was actually substantially more time, and, you  
4 know, quite frankly, our job is difficult. And  
5 sometimes it's difficult to do those things, but it  
6 can be done. And I don't know, you know, what, if  
7 any, efforts members of this Committee took to get  
8 input from the public on these particular maps, but,  
9 you know, the process has to move along.

10 VICE-CHAIR FINE: And just to clarify, we  
11 -- the workshop maps, which theoretically one could  
12 have done a town hall on, if you could remind me,  
13 Staff Director Kelly, when did those when did those  
14 come out? I can't remember.

15 STAFF DIRECTOR KELLY: (Indiscernible)

16 VICE-CHAIR FINE: Last week of November,  
17 first week of December. So if someone had wanted to  
18 do a town hall just using the workshop maps as  
19 perspective, they would have had close to two months  
20 in order to do that.

21 Okay. Follow-up?

22 REPRESENTATIVE GOFF-MARCIL: Yes, please.  
23 Thank you --

24 VICE-CHAIR FINE: Yeah.

25 REPRESENTATIVE GOFF-MARCIL: -- Vice-Chair.

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1           About the workshop maps, we were told that  
2   they were just workshop maps. So I'm not sure how  
3   we would have done a town hall on those workshop  
4   maps, especially when it was the holidays, and  
5   everybody was celebrating with their families and  
6   trying not to get Omicron or getting Omicron. So --

7           VICE-CHAIR FINE: So I'm going to clarify -  
8   - I guess I'm going to ask -- I think I'm going to  
9   try to distill your question for you. I think your  
10   question is, how are we supposed to do a -- your  
11   desire would have been to do a public town hall on  
12   these maps.

13           And your question is, how would I have done  
14   that on the maps that we're considering today as  
15   part of the normal legislative process? Now that  
16   I've sort of restated your question, I'll --  
17   Representative Leek -- Chair Leek, if you want to  
18   answer that.

19           CHAIRMAN LEEK: Yeah. I mean, so you could  
20   have workshopped the maps yourselves, right. And so  
21   the point of the workshop maps was to demonstrate to  
22   folks the different types of decision-making  
23   processes through which you could legally approach  
24   the maps. You can take public input on that all day  
25   long. With regard to the maps and the variations



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1 that you've seen then, you might have to move more  
2 quickly, but you could also get public input from  
3 your constituents. You can do any number of things  
4 that modern legislators do in a digital society to  
5 get that input.

6 VICE-CHAIR FINE: You're --

7 REPRESENTATIVE GOFF-MARCIL: That's all I  
8 had for now. Thank you.

9 VICE-CHAIR FINE: Are you -- do you have a  
10 follow-up? Okay.

11 We're going to -- so any other members  
12 wishing to ask a question who has not -- who have  
13 not yet?

14 Representative Skidmore, you -- and, again,  
15 we'll do second bites.

16 But, Representative Skidmore, you are  
17 recognized.

18 REPRESENTATIVE SKIDMORE: Thank you,  
19 Mr. Chair.

20 I'm curious about the number of majority-  
21 minority Hispanic seats in this map, specifically  
22 the number of majority-minority black seats and then  
23 also the same for what I guess we used to call  
24 access seats, which aren't necessarily minority-  
25 majority but -- or majority-minority, but I've heard

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1 the Chair say we don't use that terminology anymore.  
2 So I'm not sure which terminology to use.

3 But I'm just curious if -- I want to see  
4 what the differences are from the benchmark map to  
5 this map in terms of those types of seats.

6 VICE-CHAIR FINE: Chair Leek, you are  
7 recognized.

8 CHAIRMAN LEEK: I'm going to preface this  
9 just to make sure we're all on the same page.

10 Remember, when you speak majority --  
11 minority-majority, you're talking about population  
12 and not necessarily performance. And then when you  
13 move into protected districts, you're talking about  
14 performance.

15 And I guess your question is, what are the  
16 difference between the benchmark maps and the  
17 current maps on all of those, which I think is most  
18 of the presentation that we've done here today. So  
19 is there a specific question on any specific  
20 district? Or --

21 VICE-CHAIR FINE: You are recognized to  
22 clarify.

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

25 I'm curious because as we heard the

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1 presentation today on many, if not all but one, all  
2 the Tier 1 Hispanic or black seats had a decrease,  
3 slightly decrease, slightly decrease, slightly  
4 decrease, slightly decrease.

5 So I'm curious if those -- all of those  
6 districts were decreased but we had an influx  
7 population of 1.5 million Hispanics and 500,000  
8 African Americans, where did they all go? And why  
9 are these districts numbers in population all  
10 reduced, slightly reduced, almost every one that was  
11 described with, you know, the same verbatim  
12 language?

13 VICE-CHAIR FINE: Chair Leek, you are  
14 recognized.

15 CHAIRMAN LEEK: Yeah. Let me do my best  
16 with this. One, I disagree with the premise and the  
17 suggestion that all of them decreased. I think what  
18 you're talking about is HVAP and BVAP, which would  
19 be the population, and the Supreme Court has told us  
20 that, you know, decreases or increases that are not  
21 material are perfectly constitutional.

22 And then once you get past that -- so  
23 that's kind of, you know, something we consider  
24 after we get all the populations set. We ensure  
25 that they are still performing, and we do those

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1 types of things. But that's an analysis that comes  
2 at the end. I don't know if that answers your  
3 question, but I'm trying.

4 VICE-CHAIR FINE: Follow-up or are you  
5 good? Go ahead.

6 REPRESENTATIVE SKIDMORE: Follow-up,  
7 Mr. Chair.

8 VICE-CHAIR FINE: You are recognized.

9 REPRESENTATIVE SKIDMORE: Thank you.

10 So in understanding that 10 years ago,  
11 there were 30 protected seats, I'm curious as to how  
12 you determined that today there are still only 30  
13 protected seats when the population has increased  
14 significantly of those protected classes.

15 VICE-CHAIR FINE: You are recognized.

16 CHAIRMAN LEEK: Thank you.

17 I'm going to have to kick this to one of  
18 our map drawers, but remember it's relative  
19 population, right. So just because one population  
20 increases, here, the population around them may  
21 increase as well. That will affect that data but  
22 let me kick it to Mr. Poreda.

23 VICE-CHAIR FINE: Yeah. I'm going to  
24 represent -- I'm going to recognize Mr. Poreda as  
25 well to answer the question.



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1 MR. POREDA: Thank you, Mr. Chairman.

2 So that's partially due to the fact, if you  
3 remember, House Districts 10 years ago were about  
4 156,000 people a piece. They are currently almost  
5 180,000. So a lot of that population increase, when  
6 you're adding more population to all of these  
7 districts, we're also trying to kind of marry all of  
8 the standards together.

9 So looking at the Tier 2 standards, so when  
10 you can draw these districts in a more -- using more  
11 recognizable boundaries, in a more compact manner --  
12 for example, the district -- the protected District  
13 62 in the Pinellas, Hillsborough County area, that  
14 was a district that previously cut down into four  
15 counties in order to achieve the proper black voting  
16 age population to protect that. Part of the  
17 increase in population and change in population,  
18 we're able to now just take that distinct into two  
19 counties and increase its overall compactness and  
20 everything else.

21 So when you marry all of those standards  
22 together along with the increased size of all of the  
23 districts across the state, in addition to all of  
24 those minority populations not all moving to the  
25 same area -- they might disperse themselves among

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1 the rest of the population -- that inherently  
2 changes how all of the districts will come together.  
3 And that affects not only the voting age population  
4 of the minority communities but also of the --  
5 everyone else in the state as well.

6 VICE-CHAIR FINE: Okay. All right.

7 I'm going to circle back. Anyone else like  
8 -- wishing to ask a question who has not asked one  
9 yet?

10 Okay. Then I'm going to go back and --  
11 that's fine. Ranking Member Geller, you're up next.  
12 And I haven't forgotten about you, Rep.

13 REPRESENTATIVE GELLER: Thank you, Chair.

14 I might have some others and give some  
15 other people a chance, but I just want to follow the  
16 one line that Rep. Skidmore was asking. Let's go  
17 back, if I might, to that answer that was just given  
18 about District 62. And if I may ask the chief map  
19 drafter --

20 VICE-CHAIR FINE: Map drawer.

21 REPRESENTATIVE GELLER: -- writer?

22 VICE-CHAIR FINE: Map drawer. Chief map  
23 drawer.

24 REPRESENTATIVE GELLER: I'm sorry?

25 VICE-CHAIR FINE: It's my favorite title in

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1 the Florida House, the chief map drawer.

2 REPRESENTATIVE GELLER: Chief map drawer.

3 VICE-CHAIR FINE: Like one that you open  
4 and close.

5 REPRESENTATIVE GELLER: Like top drawer.  
6 Yes.

7 If I'm understanding the answer that was  
8 given, the process that the Committee and its staff  
9 has followed is based on the benchmark or protected  
10 districts that were enacted in 2010 and an analysis  
11 of those, which I think is consistent with  
12 Chair Leek's answer before about how many districts  
13 were subject to functional analysis notwithstanding  
14 how many individual functional analyses were  
15 conducted; am I correct so far?

16 VICE-CHAIR FINE: Mr. Poreda, you are  
17 recognized, I think.

18 Chair Leek, do you -- I mean, whichever  
19 wants. I just don't understand your question. I'm  
20 sorry.

21 CHAIRMAN LEEK: I don't either.

22 REPRESENTATIVE GELLER: Well, it was his  
23 answer. That's why I think I was directing it  
24 mostly, if I might, to the chief map drawer.

25 VICE-CHAIR FINE: Why don't you try

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1 rephrasing it again? So --

2 REPRESENTATIVE GELLER: Well, because --

3 VICE-CHAIR FINE: -- because I didn't  
4 understand you.

5 REPRESENTATIVE GELLER: -- that's just the  
6 predicate question anyway, but the predicate  
7 question was --

8 VICE-CHAIR FINE: Well, ask -- no. Skip  
9 the --

10 REPRESENTATIVE GELLER: -- if I'm asking --

11 VICE-CHAIR FINE: -- predicate question.

12 REPRESENTATIVE GELLER: -- it correct --

13 VICE-CHAIR FINE: What's your question?

14 REPRESENTATIVE GELLER: -- if I'm

15 understand the answer that was given to Rep.

16 Skidmore and the prior answer from Chair Leek that

17 it was the 30 that were subject to whatever number

18 of functional analyses were conducted -- I like to

19 call those, those funky analysis -- but the basis of

20 the procedure that we employed to ensure a

21 constitutionally compliant map was to begin with the

22 30 benchmark or protected districts from the last

23 iteration and conduct functional analyses to make

24 sure -- to conduct functional analyses on those

25 districts; is that accurate?



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1 VICE-CHAIR FINE: You are recognized.

2 MR. POREDA: Thank you, Mr. Chairman.

3 As previously stated when we stated last  
4 week, we didn't know when we started it would be 30  
5 districts. We evaluated the benchmark districts and  
6 then did functional analysis where appropriate eon  
7 those districts. That's consistent with Florida  
8 Supreme Court precedent, U.S. Supreme Court  
9 precedent, and the Department of Justice guidance  
10 for how to go about these protections.

11 So when we did that, it ended up being 30  
12 districts. That's the beginning of the process.  
13 That's kind of the starting point.

14 REPRESENTATIVE GELLER: And those --

15 VICE-CHAIR FINE: You are recognized.

16 REPRESENTATIVE GELLER: -- those 30 are the  
17 ones that were derived and existed in the previous  
18 iteration of the map, correct?

19 VICE-CHAIR FINE: You are recognized.

20 MR. POREDA: Partially. So in the  
21 benchmark district, there's also a district that  
22 went from Miami-Dade to Collier County that was a  
23 majority-minority Hispanic district.

24 Not due to anything dealing with minority  
25 district protections but simply due to population

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1 changes in the state, Miami-Dade County previously,  
2 when divided by the ideal population of a House  
3 District, was approximately 16 House Districts.  
4 Now, under the current 2020 census data, when you  
5 take the total population of Miami-Dade County and  
6 divide it by the ideal population of a House  
7 District, which is now 180,000, you get to about 15  
8 districts.

9 So inherently, Miami-Dade County was  
10 probably going to lose a district. We knew that  
11 before we even started. But we were able to add a  
12 new performing district in District 47 that we  
13 previously discussed. So it isn't necessarily a  
14 one-for-one comparison, but when you look at the  
15 whole population and get the totality of  
16 circumstances throughout the entire map, that's what  
17 it ended up being.

18 REPRESENTATIVE GELLER: Thank you.

19 My concern is when you discussed the  
20 criteria that were looked at and where the  
21 improvements were made, it sounded like we were  
22 treating Tier 1 and Tier 2 standards as if they were  
23 equivalent standards and not that Tier 1 is  
24 absolutely mandatory and Tier 2 is to be done where  
25 it doesn't impact Tier 1.

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1           Specifically, the -- this answer that was  
2     given to Rep. Skidmore was, well, we made these  
3     advances in these other areas in looking -- in Tier  
4     2 standards in looking at the districts that we were  
5     examining for purposes of that funky analysis, that  
6     it doesn't sound like we did look at the entirety of  
7     the state based on the 2020 census to determine  
8     whether there should be more minority districts  
9     existing, perhaps now modified by your reference to  
10    District 47.

11           It sounds like we were just, you know,  
12    looking at the districts that existed previously and  
13    what was analogous to them and whether we could make  
14    them more compact or something, as opposed to  
15    whether there should be more protected districts  
16    created to comply with Tier 1 standards.

17           VICE-CHAIR FINE: Chair Leek, you want to  
18    --

19           CHAIRMAN LEEK: I didn't hear a question in  
20    there, but I will comment that you can rest assured.  
21    Your concern is unfounded.

22           VICE-CHAIR FINE: All right. I'm going to  
23    move on to Rep. Driskell, and we'll come back --  
24    we'll come back if you want to make -- have another  
25    --

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1 Rep. Driskell, you are recognized.

2 REPRESENTATIVE DRISKELL: Thank you.

3 VICE-CHAIR FINE: And just a quick reminder  
4 on timing here. We're 13 minutes from being halfway  
5 through our time, and if we have any amendments, we  
6 have to do those as well as public comment and  
7 debate, so just as everyone thinks about their  
8 timing.

9 Rep. Driskell, you are recognized for a  
10 question.

11 REPRESENTATIVE DRISKELL: Thank you,  
12 Mr. Chair.

13 Just wanted to clarify. I went back  
14 through the meeting packet and I checked on the  
15 Committee website, and we didn't get those PDFs that  
16 we ran through in the presentation today that showed  
17 the differences between '09 and '13. Would we be  
18 able to get those please as Committee members, a  
19 copy of those?

20 VICE-CHAIR FINE: You are recognized, Chair  
21 Leek.

22 CHAIRMAN LEEK: You certainly will. We're  
23 looking now to confirm that they were, in fact, put  
24 out there, and if there's another path to it, we'll  
25 let you know that as well.



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1 REPRESENTATIVE DRISKELL: Thank you.

2 Appreciate that.

3 And then I remember in one of our first  
4 meetings that we had as a Committee, I had asked  
5 some questions about language accessibility on the  
6 website and translation functionalities, and I know  
7 there was some Google dropdown -- some Google  
8 functionality. Were all of those issues resolved,  
9 and if so, what was the resolution?

10 VICE-CHAIR FINE: I'm going to let Chair  
11 Leek answer that, if he wants, but again I'd point  
12 out that's not relevant to the subject of the bill.  
13 I don't know what the answer is, but it's not  
14 relevant to the subject of the bill.

15 Chair Leek, you are recognized.

16 CHAIRMAN LEEK: Thank you.

17 And, you know, when you pointed that out,  
18 we resolved that issue. All resolved.

19 REPRESENTATIVE DRISKELL: It has been?  
20 Okay, great.

21 And, Mr. Chair, the reason I'm asking those  
22 questions is because it speaks to public input, and  
23 the website is our only opportunity for public  
24 input. So for example, I noticed on the website as  
25 of this afternoon I can still only find the

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1 redistricting suggestion form in a PDF form, and  
2 it's only in English. Would we be able to update  
3 that so the public could provide input through that  
4 way before these get to the floor?

5 VICE-CHAIR FINE: Again, not really  
6 relevant to the content of the bill, but, Mr. Chair,  
7 if you want to answer that. I get public comments  
8 into my email all the time, but, Rep. Leek, if you  
9 want to answer that.

10 CHAIRMAN LEEK: We're checking on it.  
11 Those specific issues, I'm unaware of, and I'm  
12 looking at --

13 REPRESENTATIVE DRISKELL: Oh, they are?

14 CHAIRMAN LEEK: -- the, you know, what  
15 you're able to get, the meeting packet, and it shows  
16 everything that was produced. But we're working on  
17 it. Give me just a second. I'll maybe have an  
18 answer to your other specific question.

19 REPRESENTATIVE DRISKELL: Thank you.

20 VICE-CHAIR FINE: Okay. Any questions  
21 about, you know, the content of the HJR?

22 Yes. Rep. Driskell, you are recognized.

23 REPRESENTATIVE DRISKELL: Thank you.

24 And thank you for looking into that, Chair  
25 Leek.

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1 I know we talked a lot about the 30  
2 benchmark districts. Did those 30 districts include  
3 black districts and Hispanic districts?

4 VICE-CHAIR FINE: You are recognized to  
5 answer the question, and on your next one, if you  
6 could turn -- like talk closer into the microphone.

7 REPRESENTATIVE DRISKELL: Oh, sorry about  
8 that.

9 VICE-CHAIR FINE: It's very hard for me to  
10 hear you.

11 Rep. Leek, you are recognized. Chair Leek,  
12 you are recognized.

13 CHAIRMAN LEEK: Yes.

14 VICE-CHAIR FINE: You are recognized for a  
15 follow-up.

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

18 How many black benchmark districts are  
19 there, and how many black performing districts are  
20 there in the plan under consideration today? And  
21 can we identify those by district number please?

22 VICE-CHAIR FINE: Chair Leek?

23 CHAIRMAN LEEK: Let me kick that to  
24 Ms. Kelly here.

25 VICE-CHAIR FINE: Okay. Ms. Kelly, you are

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1 recognized.

2 STAFF DIRECTOR KELLY: Thank you, Chair.

3 Thank you, Vice-Chair.

4 So Rep. Driskell, as Jason has kind of  
5 eluded to and as Chair Leek has also specified, it's  
6 not necessarily a one-for-one with what was in the  
7 benchmark and what's in the current map. The  
8 current functional analysis that we ran is based on,  
9 you know, the map as it sits today with 2020  
10 population data. So what existed in 2010 may not be  
11 a benchmark district that was, you know, considered  
12 for purposes of this redistricting because of  
13 population growth shift change over the decade.

14 VICE-CHAIR FINE: Rep. Driskell, you are  
15 recognized.

16 REPRESENTATIVE DRISKELL: Thank you.

17 How many of those 30 districts were black  
18 districts, the benchmark districts?

19 VICE-CHAIR FINE: Chair Leek, you are  
20 recognized.

21 CHAIRMAN LEEK: Eighteen. And just to be  
22 clear, you're talking back on the current maps but  
23 not the proposed maps, right?

24 REPRESENTATIVE DRISKELL: That's correct.

25 CHAIRMAN LEEK: Eighteen.



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1 REPRESENTATIVE DRISKELL: Thank you, Mr.  
2 Chair.

3 VICE-CHAIR FINE: Eighteen. You are  
4 recognized.

5 REPRESENTATIVE DRISKELL: Thank you.  
6 How many black performing districts are  
7 there in the plan under consideration today?

8 VICE-CHAIR FINE: Chair Leek, you are  
9 recognized.

10 CHAIRMAN LEEK: Eighteen.

11 REPRESENTATIVE DRISKELL: Okay.

12 VICE-CHAIR FINE: Yeah. Rep. Driskell, you  
13 are recognized.

14 REPRESENTATIVE DRISKELL: So then if my --  
15 well, let me just ask the question. Let me not do  
16 math. That's why I went to law school, not good at  
17 math like Randy -- like Chair Fine.

18 VICE-CHAIR FINE: That's why I didn't.

19 REPRESENTATIVE DRISKELL: How many Hispanic  
20 benchmark districts are there?

21 VICE-CHAIR FINE: Chair Leek, you are  
22 recognized.

23 CHAIRMAN LEEK: Twelve. I thought Vice-  
24 Chair Fine was going to handle this.

25 VICE-CHAIR FINE: That's 13 minus 18. Well

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1 done.

2 Yes. You are recognized.

3 REPRESENTATIVE DRISKELL: Thank you. How  
4 many Hispanic performing districts are there in the  
5 plan under consideration today?

6 VICE-CHAIR FINE: I'm still going to let  
7 you do that math, Chair Leek.

8 CHAIRMAN LEEK: Yeah. Same math, 12.

9 VICE-CHAIR FINE: Are you good?

10 REPRESENTATIVE DRISKELL: Just one moment.

11 VICE-CHAIR FINE: I'm going to let -- I can  
12 go back to --

13 REPRESENTATIVE DRISKELL: Okay.

14 VICE-CHAIR FINE: -- Ranking Member Geller  
15 if you want one more. Take a minute to think about  
16 it.

17 REPRESENTATIVE DRISKELL: If you want to  
18 move on and then I'll just check my notes to make  
19 sure I didn't have any more. I don't --

20 VICE-CHAIR FINE: Okay.

21 REPRESENTATIVE DRISKELL: -- want to waste  
22 time.

23 VICE-CHAIR FINE: Okay.

24 Ranking Member Geller, are you good?

25 REPRESENTATIVE GELLER: Yes.

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1 (Indiscernible)

2 VICE-CHAIR FINE: Oh, you do?

3 REPRESENTATIVE GELLER: Oh, yeah.

4 VICE-CHAIR FINE: More questions? Okay.

5 Well, not to be -- and, again, I'm going to

6 check in. Anybody else who hasn't asked any

7 questions yet?

8 Okay. You're up.

9 REPRESENTATIVE GELLER: (Indiscernible)

10 VICE-CHAIR FINE: He has not raised his

11 hand. I can sort of see him down there. So --

12 REPRESENTATIVE GELLER: (Indiscernible)

13 VICE-CHAIR FINE: All right. Thanks.

14 Okay.

15 REPRESENTATIVE GELLER: Thank you.

16 VICE-CHAIR FINE: Rep. Jenne said he is

17 good.

18 REPRESENTATIVE GELLER: (Indiscernible)

19 VICE-CHAIR FINE: Every question that could

20 be asked has already been asked. So he does not

21 have any questions.

22 Ranking Member Geller, you are recognized.

23 REPRESENTATIVE GELLER: Oh, no. he

24 (indiscernible). Oh, I know he does.

25 CHAIRMAN LEEK: He also has under.

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1 VICE-CHAIR FINE: Oh, he has the under as  
2 well. All right.

3 REPRESENTATIVE GELLER: Is it not the case  
4 -- just again on that last line, is it not the case  
5 that based on the population growth that we should  
6 be seeing some kind of an increase at least in terms  
7 of Spanish language minority districts based on the  
8 population growth in the state?

9 It sounds like all we've done is maybe  
10 exchanged the one district that used to run across  
11 the Everglades from Miami-Dade to Collier for, I've  
12 heard, this new District 47. But is it not the case  
13 that the population shift and increase should have  
14 justified the creation of additional either black or  
15 Hispanic districts and perhaps a Creole language  
16 district?

17 VICE-CHAIR FINE: Chair Leek, you are  
18 recognized.

19 CHAIRMAN LEEK: Remember, it's relative  
20 growth.

21 REPRESENTATIVE GELLER: I'm sorry?

22 CHAIRMAN LEEK: It's relative growth. So  
23 just because one population increases doesn't mean  
24 its relative growth changes.

25 REPRESENTATIVE GELLER: So you're saying



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1 that there is not a relative change such that in any  
2 portion of the state there should have been an  
3 increase in any of those protected districts?

4 VICE-CHAIR FINE: Chair Leek, you are  
5 recognized.

6 CHAIRMAN LEEK: Thank you.

7 I'm saying that the number of protected  
8 districts in the current map reflect not only what  
9 is required but what it is appropriate.

10 REPRESENTATIVE GELLER: But what is?

11 CHAIRMAN LEEK: Appropriate.

12 REPRESENTATIVE GELLER: Okay. If --

13 VICE-CHAIR FINE: You are recognized.

14 REPRESENTATIVE GELLER: -- Rep. Jenne has  
15 some, I'll defer, but otherwise --

16 VICE-CHAIR FINE: He doesn't.

17 REPRESENTATIVE GELLER: -- I do have a  
18 couple others.

19 VICE-CHAIR FINE: He does not. So are we  
20 done? No.

21 REPRESENTATIVE GELLER: Okay. Give me a  
22 moment here then.

23 VICE-CHAIR FINE: Rep. Driskell, we'll go  
24 back to Rep. Driskell then.

25 REPRESENTATIVE DRISKELL: Thank you.

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1 And, Mr. Chair, Chair Leek, I went back  
2 through and realized I was looking at the wrong  
3 packet. I found those PDFs. So thank you for that.  
4 Sorry about that confusion.

5 Let me ask because I thought -- I was going  
6 back through my notes -- that when we did the  
7 presentation on Districts 35 through 47, which are  
8 kind of in that Central Florida area, I thought I  
9 heard Rep. Sirois mention that there may have been a  
10 new Hispanic performing district created there. Was  
11 that correct?

12 VICE-CHAIR FINE: I'm going to recognize  
13 our chief map drawer to answer that.

14 MR. FOREDA: Yes. District 47 does not  
15 have -- that we talked about previously doesn't have  
16 an analogous district in the benchmark that it would  
17 be considered a new performing majority-minority  
18 Hispanic district.

19 REPRESENTATIVE DRISKELL: Got it.

20 VICE-CHAIR FINE: Follow-up?

21 REPRESENTATIVE DRISKELL: Thank you.

22 So I guess my question is if -- because we  
23 just learned that there were 12 Hispanic benchmark  
24 districts previously and now we have 12 Hispanic  
25 performing districts under the current plan but we

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1 have a new Hispanic performing district under this  
2 new plan, that, to me, would seem that there would  
3 be 13, not 12. So what happened to that other  
4 Hispanic performing district?

5 VICE-CHAIR FINE: See, you can do math.

6 REPRESENTATIVE DRISKELL: A little bit. A  
7 little.

8 VICE-CHAIR FINE: You want to take a shot  
9 at that?

10 MR. POREDA: So that was a result of, as I  
11 talked about before with the population of Miami-  
12 Dade County, it simply didn't grow as fast as the  
13 rest of the state. It was, in fact, the 37th state  
14 (sic) when ranked on percent of population growth.  
15 So the ideal population of a House District divided  
16 by Miami-Dade's total population ends up being one  
17 less than last time.

18 Because Miami-Dade County, all but two  
19 districts that have all or a portion of themselves  
20 being in Miami-Dade County are all protected  
21 Hispanic districts, one of those districts that is  
22 kind of no longer there in the benchmark district is  
23 District 105. So that district essentially moved  
24 from South Florida. Now, with the new district up  
25 there, that accounts for the difference in the

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1 numbers.

2 VICE-CHAIR FINE: So added one, lost one.

3 REPRESENTATIVE DRISKELL: Okay.

4 VICE-CHAIR FINE: Anything else?

5 REPRESENTATIVE DRISKELL: Yes. I think --

6 VICE-CHAIR FINE: Yeah. You are

7 recognized.

8 REPRESENTATIVE DRISKELL: -- Mr. Chair. I

9 know we talked a lot about the Haitian Creole

10 speakers being -- or, you know, making sure that we

11 took into account whatever data that we could to

12 achieve that Tier 1 criteria with respect to those

13 language minorities, how are the Haitian Creole

14 speakers reflected in this plan?

15 VICE-CHAIR FINE: I feel like we've

16 answered this ad infinitum. So I'm going to move

17 on.

18 We're going to take -- we're going to do

19 another question. We've answered --

20 REPRESENTATIVE DRISKELL: Mr. Chair --

21 VICE-CHAIR FINE: -- that.

22 REPRESENTATIVE DRISKELL: -- or maybe I

23 could rephrase it?

24 I guess what I was trying to ask is which

25 districts are they reflected in under the plan? I



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1 don't know that we spoke about specific district  
2 numbers. That's the information I was trying to get  
3 at.

4 VICE-CHAIR FINE: Chair Leek, you are  
5 recognized.

6 CHAIRMAN LEEK: Yeah, 107 and 108.

7 REPRESENTATIVE DRISKELL: Thank you.

8 VICE-CHAIR FINE: Okay. All right. Final  
9 bite at the apple. We're going to the end now, Rep.  
10 Geller, Ranking Member Geller.

11 REPRESENTATIVE GELLER: All right. Thank  
12 you.

13 VICE-CHAIR FINE: I don't want to win the  
14 over by that much, just so you know.

15 REPRESENTATIVE GELLER: I'm sorry? You --

16 VICE-CHAIR FINE: I don't want to win the  
17 bet. So I'm fine if we don't --

18 REPRESENTATIVE GELLER: Well, you must not  
19 have had very much on it.

20 VICE-CHAIR FINE: Yeah. So --

21 REPRESENTATIVE GELLER: Needed to adjust  
22 the size of the bet, I think, there.

23 And, by the way, I just want to be clear.  
24 I don't have any money down either way. So I think  
25 the Federal Appeals Court struck that down. I'm not

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1 allowed to do that through the (indiscernible) --

2 VICE-CHAIR FINE: All right. Do you have a  
3 question?

4 REPRESENTATIVE GELLER: -- through the  
5 Seminole website there.

6 But yes. My question is -- and I have to  
7 say is probably something that is information  
8 provided to us. But how many of the benchmark or  
9 protected districts are majority-minority, that is  
10 to say provide -- consists of more than 50 percent  
11 of the total population of the seat?

12 VICE-CHAIR FINE: You are recognized,  
13 Rep. Leek.

14 CHAIRMAN LEEK: Just clarifying. When you  
15 say how many, do you mean in the benchmark map or do  
16 you mean in this proposed map?

17 REPRESENTATIVE GELLER: On the proposed  
18 map.

19 CHAIRMAN LEEK: Okay. So not the benchmark  
20 map but the proposed map we're getting.

21 REPRESENTATIVE GELLER: How many of the  
22 districts that are identified as protected --

23 CHAIRMAN LEEK: Yeah.

24 REPRESENTATIVE GELLER: -- were -- are  
25 majority-minority? If you can break that between

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1 black and Hispanic, that would be great.

2 VICE-CHAIR FINE: Chair Leek, you are  
3 recognized.

4 CHAIRMAN LEEK: Twenty-one.

5 REPRESENTATIVE GELLER: Twenty-one of the  
6 total of thirty?

7 CHAIRMAN LEEK: Yes.

8 VICE-CHAIR FINE: You are recognized.  
9 Yeah.

10 REPRESENTATIVE GELLER: What's the highest  
11 concentration of minority voters in any of those  
12 districts?

13 VICE-CHAIR FINE: One second. Just give us  
14 a minute.

15 Chair Leek, you are recognized.

16 CHAIRMAN LEEK: Yeah. You know, before we  
17 run down this rabbit hole of us reviewing the  
18 information that is in the packet for you and  
19 available to you, you know, if you -- all of that  
20 stuff is readily available to you, has been readily  
21 available to you. If you want to count those up, I  
22 would ask you to do that on your time and not the  
23 Committee time because, again, I have the under.

24 VICE-CHAIR FINE: Okay.

25 REPRESENTATIVE GELLER: So to follow that

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1 then, that was a predicate question. What  
2 consideration was given to providing functional  
3 districts that would allow minorities to elect  
4 candidates of their choice that would not have  
5 resulted in such large concentrations of minority  
6 voters in those particular districts, which would  
7 have allowed those minority voters to have a greater  
8 voice in neighboring districts?

9 VICE-CHAIR FINE: Chair Leek, you are  
10 recognized.

11 CHAIRMAN LEEK: I'm just going to say that  
12 the language that you're using, as we've kind of  
13 gone through our educational process, we've harped  
14 on using the language of the law and being precise  
15 with our language. Functional districts is not a  
16 thing.

17 And so the question you're asking is not  
18 one that can be answered because the language you're  
19 using is not consistent with the language we have to  
20 use.

21 REPRESENTATIVE GELLER: I'll try to  
22 rephrase then if that's okay with the Chair? If I'm  
23 recognized for that purpose, Mr. Chair.

24 VICE-CHAIR FINE: Okay.

25 REPRESENTATIVE GELLER: Okay. Thank you.



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1 VICE-CHAIR FINE: We're good?

2 REPRESENTATIVE GELLER: So let me say --  
3 no. I said I'd try to rephrase if that was okay  
4 with the Chair.

5 VICE-CHAIR FINE: Yeah. If you can get --  
6 we're having a hard time hearing. I think everyone  
7 is getting a little tired.

8 REPRESENTATIVE GELLER: All right. Let me  
9 try and --

10 VICE-CHAIR FINE: If you can get close to  
11 the microphone.

12 REPRESENTATIVE GELLER: -- be very close to  
13 this microphone. We'll try and develop a  
14 relationship here.

15 What consideration was given to lowering  
16 some of the percentage concentrations of minority  
17 voters in those proposed districts that would still  
18 have allowed those minorities to select  
19 representatives of their choosing but would have  
20 resulted in lower percentage concentrations such  
21 that those minority voters could also have impact on  
22 neighboring districts?

23 VICE-CHAIR FINE: You are recognized,  
24 Chair Leek.

25 I think what you're asking me is, would we

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1 or did we -- should we have divided up minority  
2 populations to spread them out, which, of course,  
3 creates its own legal issue? And you might be  
4 referring to the South Florida districts, but the  
5 HVAP or the BVAP is purely a function of the  
6 population concentration within a geographic area.

7 REPRESENTATIVE GELLER: But that's --

8 VICE-CHAIR FINE: You are recognized.

9 REPRESENTATIVE GELLER: Thank you.

10 That's actually honestly not my question.  
11 I understand that it's a function of the  
12 concentration, but still, there -- I mean, as we  
13 discussed, maps can be drawn many different ways.  
14 My question is, what consideration was given to not  
15 putting -- I'm trying to avoid -- in deference to  
16 your point, Chair, I'm trying to avoid pejorative  
17 language.

18 So I'm just asking what consideration was  
19 given to having lower top-line majority-minority  
20 populations such that more of the voters that are  
21 placed in those districts could have been put into  
22 neighboring districts and given a voice there while  
23 still allowing the constitutionally required choice  
24 of minority voters such that they could choose their  
25 own representatives?

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1 VICE-CHAIR FINE: You are recognized,  
2 Chair Leek.

3 CHAIRMAN LEEK: You know, obviously, we're  
4 not going to violate Tier 1 by making a decision in  
5 map drawing based on race, and so our charge is to  
6 protect the protected districts and not to diminish.  
7 The Supreme Court has said a slight deviation up and  
8 down that is not material is perfectly acceptable.  
9 So I'm a little worried that your suggestion could  
10 be construed as making map drawing decisions based  
11 on race, and that is something we would not  
12 consider.

13 VICE-CHAIR FINE: All right. I think we  
14 are done.

15 Members, that concludes our questions.

16 There are no amendments.

17 So seeing no amendments, we're going to  
18 move on to public testimony.

19 First, in public testimony, we have Miranda  
20 Galindo with LatinoJustice PRLDEF. You are  
21 recognized. When you get to the podium, please make  
22 sure your microphone is on.

23 Actually, before you speak, real quick, I  
24 want to remind all speakers to keep their comments  
25 on topic and to the extent your comments align with

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1 our constitutional standards, it would be  
2 beneficial, as the map we're voting on has to be in  
3 alignment with these standards.

4 And with that, you are recognized.

5 MIRANDA GALINDO: Thank you.

6 Good afternoon, Miranda Galindo, senior  
7 counsel at LatinoJustice PRLDEF. Thank you for your  
8 hard work this redistricting season and for the  
9 opportunity to present our opposition to the  
10 proposed map, which unfairly represents your Latino  
11 constituents.

12 Florida's booming Latino population has  
13 outgrown the benchmark map. The 2020 census counted  
14 nearly 1.5 million more Latinos in Florida than it  
15 did a decade ago, and common sense dictates that a  
16 protected class comprising over a quarter of  
17 Florida's total population should enjoy a fair  
18 number of Latino majority districts.

19 I'd like to clarify that this growth was  
20 not only numerical. It was also relative growth.  
21 In 2010, Latinos were approximately 22 percent of a  
22 total population in Florida. Now, Latinos comprise  
23 over 26 percent of Florida's total population.

24 However, only 14 percent of the seats  
25 proposed in Map H8013 are majority Hispanic voting



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1 age population districts. Compare this to non-  
2 Hispanic white Floridians, who comprise  
3 approximately 53 percent of Florida's total  
4 population but are majority voting age population in  
5 64 percent of the House seats in Map 8013.

6 The redistricting process should mitigate,  
7 not exacerbate, the injustice of disparately low  
8 Latino political power. Congress passed the Voting  
9 Rights Act of 1965 to protect our democratic process  
10 from racial discrimination.

11 The Florida Legislature is entrusted with  
12 enforcing this landmark Civil Rights law to combat  
13 discriminatory practices that have historically  
14 disenfranchised black, brown, and Indigenous  
15 Floridians, including English-only election  
16 practices, poll taxes, the notorious grandfather  
17 clause, and all white primaries as well as  
18 malapportionment, which have all undermined the  
19 ability of racial and language minorities to elect  
20 their candidates of choice throughout history in  
21 Florida.

22 The Voting Rights Act requires that where  
23 Latino majority districts may be drawn feasibly and  
24 consistent with Section 2, they must be drawn.  
25 Latino Floridians have a right to representation

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1 where possible under Section 2. Section 2 of the  
2 Voting Rights Act prohibits dilution of the voting  
3 strength of the Latino population as defined by the  
4 2020 census.

5 The starting point of this analysis, also  
6 known as the first Gingles precondition, is the  
7 identification of Latino populations throughout the  
8 state that are geographically compact and  
9 sufficiently numerous to be a majority in a single  
10 district. The Legislature cannot limit this  
11 analysis to the Latino population in each outdated  
12 district of the benchmark map.

13 We are disturbed by indications that the  
14 Legislature's methodology may not have assessed the  
15 existence of sufficiently compact and numerous  
16 Latino populations regardless of whether those  
17 populations cross existing district lines.

18 Such a practice would fail to protect  
19 compact Latino communities occupying two or more  
20 districts in the benchmark map. For example, the  
21 Legislature should evaluate whether districts in  
22 Miami-Dade County may be redrawn to create  
23 additional Latino majority districts without  
24 undermining African American political power in that  
25 region.

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1 Similarly, the Legislature should evaluate  
2 the possibility of creating four performing Latino  
3 seats in the region comprising Orange, Osceola,  
4 Polk, and Seminole Counties, which would improve the  
5 representation of Central Florida's growing Latino  
6 population.

7 Now, let's talk about what vote dilution  
8 looks like under federal law and how to fix it.  
9 Generally, district maps violate Section 2, where  
10 they pack Latino voters into one or a small number  
11 of districts to minimize their influence.

12 The Legislature has a duty to evaluate how  
13 to unpack Latinos in South Florida districts in  
14 proposed map H8013, which contains concentrations of  
15 Latino voting age populations as high as 94 percent  
16 in District 112. The packing of South Florida  
17 Latinos into fewer seats is a form of vote dilution  
18 unless the Legislature unpacks those districts where  
19 feasible under Section 2.

20 District maps also generally violate  
21 Section 2 where they crack or fragment Latino voters  
22 among several districts where block voting majority  
23 can routinely outvote them.

24 The Legislature has a duty to evaluate how  
25 to avoid cracking geographically compact Latino

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1 populations in Central and South Florida. The first  
2 step in this analysis is a statewide evaluation of  
3 all sufficiently numerous and compact Latino  
4 populations that could comprise a majority in a  
5 single district, regardless of those populations'  
6 presence in two or more existing districts.

7 For example, the Legislature should  
8 evaluate how to keep Latino communities of interest  
9 in Polk County together where feasible. Prior  
10 proposed map H8005 did a better job of keeping these  
11 communities together while simultaneously keeping  
12 cities whole.

13 The Legislature's continual denial of  
14 meaningful opportunities for public participation  
15 deprives this redistricting process of complete  
16 information on protected communities. LatinoJustice  
17 reiterates our numerous requests for meaningful  
18 opportunities for public participation in the form  
19 of improved language access services, provision of  
20 virtual participation options for public hearings,  
21 and regional public hearings outside of Tallahassee.

22 Floridians who are limited English  
23 proficient, impacted by the COVID-19 pandemic, and  
24 who reside far away from Tallahassee are no less  
25 deserving of having their voices heard in this



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1 forum.

2           You mentioned the impact -- the importance  
3 of members participation in protecting Haitian  
4 Creole communities, and I would like to point out  
5 the equal importance of direct public participation  
6 from this community. Similarly, the public input  
7 tab that leads to the PDF form to provide comments  
8 to this Committee is only in English, and this is an  
9 issue that we have pointed out numerous times,  
10 including last week.

11           Finally, we reserve the right to amend this  
12 testimony based on additional information that we  
13 are currently developing. Thank you.

14           VICE-CHAIR FINE: Thank you.

15           Next up, we've got Cecile Scoon with the  
16 League of Women Voters of Florida.

17           CECILE SCOON: Good afternoon. My name is  
18 --

19           VICE-CHAIR FINE: You are recognized.

20           CECILE SCOON: Thank you. My name is  
21 Cecile Scoon, and I'm president of the League of  
22 Women Voters of Florida. And I've been taking a lot  
23 of good notes as a lot of good information as come  
24 out.

25           I believe I heard a statement that one of

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1 the reasons why there was no functional analysis  
2 done on one of the districts that had a high  
3 Hispanic population is because other districts that  
4 had a higher HVAP, voting age population, did not  
5 show that they could perform.

6 And one of the things that I wanted to  
7 bring out is that it is well-known that the Hispanic  
8 population is impacted by different things, and part  
9 of it is when you count the bodies, not all of the  
10 bodies can vote. So you need to do a more detailed  
11 analysis and not simply rely on the Hispanic voting  
12 age population, and one of those is a racially  
13 polarized voting data analysis to actually determine  
14 the number of people that can vote and whether the  
15 Hispanic group is voting cohesively, which, of  
16 course, is one of the requirements of the Gingles --  
17 the three requirements that is part of Tier 1 and  
18 part of the Voting Rights Act.

19 So when you know you have a group that has  
20 these different issues, in terms of high propensity,  
21 not everybody can vote and not everybody that speaks  
22 the same language votes the same way but you're not  
23 doing the deeper analysis that's available to you,  
24 then I don't think that's meeting the constitutional  
25 standard or the standards required under Tier 1 of

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1 our Fair Districts.

2 You have to use the tools available.

3 There's nothing in Fair Districts or the Voting  
4 Rights Act that says you can only use the census.

5 If there are other tools available, you should use  
6 them in conjunction. You could use the American  
7 Community Survey in conjunction with the census in  
8 some aspects to determine some of these deeper  
9 questions, and it's concerning that it hasn't been  
10 done.

11 There was a similar comment that was made  
12 with regards to we felt that we were protecting the  
13 Creole vote because they were subsumed in districts  
14 that were protected under -- for African Americans.  
15 It's the same idea. You're not using all the tools  
16 available to you, which we say are required to  
17 determine -- racially polarizing voting data to  
18 determine if these groups are voting cohesively.  
19 There's an assumption there that is not allowed  
20 under the Constitution, and it's not allowed under  
21 Fair Districts. You've got to do the work. And so  
22 I would suggest that you take the time to check out  
23 these populations and make sure they are being  
24 properly protected.

25 There was another comment that was quite

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1 interesting. I believe, Representative Leek,  
2 Chair Leek, you made the comment that one of the  
3 reasons why you are not as comfortable using the  
4 American Community Survey, I believe you stated it  
5 was based on 2010 census information. So it wasn't  
6 as up to date as people might have thought.

7 Well, that's the exact same argument that  
8 we are making with regards to the House's reliance  
9 and focus on the protected districts as the  
10 benchmark districts. The choice of the benchmark  
11 districts also came from -- based in the Court  
12 decision in 2016, which was looking back at 2010  
13 census data.

14 You exactly proved my point. Relying so  
15 heavily on 2010 data is not good, and you basically  
16 said that with regards to your concerns about the  
17 American Community Survey.

18 So that is why we're saying one of the  
19 reasons why there's so much concern with the high  
20 increase in the Hispanic population and the increase  
21 in the African American population and there not  
22 being any increase in the number of protected  
23 districts.

24 We think these failures that we've  
25 mentioned are some -- in the process are some of the



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1 reasons why this is happening, and we would like you  
2 to consider and do the data analysis that's well  
3 within your control. Thank you.

4 VICE-CHAIR FINE: Okay.

5 Members, we're now in debate.

6 Representative Byrd, you are recognized.

7 REPRESENTATIVE BYRD: Thank you, Vice-Chair  
8 Fine.

9 And I just want to, you know, first off,  
10 thank the -- all the members of the Committee for  
11 their hard work and the members of the -- just the  
12 entire House who participated in this process. It  
13 was a bipartisan effort of individuals to come and  
14 work with staff, to work with Chair Leek and myself  
15 in producing this final map, which is different than  
16 the one we did the other day. And I just want to  
17 thank everyone's participation and most importantly  
18 staff and ask everybody's favorable support.

19 VICE-CHAIR FINE: All right. We're in  
20 debate. Members, anyone else wishing to speak in  
21 debate?

22 Ranking Member Geller, you are recognized.

23 REPRESENTATIVE GELLER: Thank you.

24 At this time, I'm going to renew the  
25 request that I made at the beginning that we not

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1 take a vote on this map. I think the debate and the  
2 questions that -- well, particularly the questions  
3 that were asked show that there are significant  
4 changes that were made as recently as Monday. There  
5 are questions that we're still trying to get some  
6 answers to. I know that I would benefit -- speaking  
7 just for myself -- by having more time to look at  
8 these.

9 I want to harken back to the fact that,  
10 although we had those workshop maps, we were  
11 repeatedly cautioned that those maps were merely  
12 examples. They didn't represent anything. Maps  
13 dropped last week, a few days ago, and some 48 hours  
14 ago, we got maps that had significant numbers of  
15 changes. And speaking on behalf of myself and other  
16 members of my caucus, we would ask again that this  
17 be deferred just to the very next meeting of the  
18 Committee. I don't think that a few days deferral  
19 would do any harm to the process. I have other  
20 comments, but I'm going to stop at that point to put  
21 that request back on the record.

22 VICE-CHAIR FINE: Are you finished with  
23 your comments? This is your only --

24 REPRESENTATIVE GELLER: I do have others --

25 VICE-CHAIR FINE: -- bite at the apple on

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1 this one.

2 REPRESENTATIVE GELLER: -- depending on the  
3 response to that.

4 VICE-CHAIR FINE: There's nothing for me to  
5 respond to. I mean, are you done with your  
6 comments?

7 REPRESENTATIVE GELLER: Well, I guess I'm  
8 not then.

9 VICE-CHAIR FINE: Okay. I'm going to let  
10 you keep going then, but you get --

11 REPRESENTATIVE GELLER: Would a motion --

12 VICE-CHAIR FINE: -- everybody gets one  
13 bite at the apple on this one.

14 REPRESENTATIVE GELLER: Would a motion to  
15 defer this to the next Committee meeting be in order  
16 at this time, Mr. Chair?

17 VICE-CHAIR FINE: I mean, Ranking Member  
18 Geller, I'm going to leave it up to you to decide  
19 what you want to say.

20 REPRESENTATIVE GELLER: Well, what I want  
21 to say is I move to defer this matter to the next  
22 meeting of the Committee. Is that in order?

23 VICE-CHAIR FINE: I don't believe -- there  
24 is no such thing as a motion to defer. So that's  
25 out of order. It doesn't exist.

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1 REPRESENTATIVE GELLER: A motion to table  
2 until the next meeting of the Committee?

3 VICE-CHAIR FINE: Yeah. What you're asking  
4 for is also not a motion.

5 REPRESENTATIVE GELLER: Okay. I will  
6 inquire. Is there -- what motion would allow me to  
7 request -- I mean, I have a pretty good grasp of  
8 parliamentary procedure, I think. What motion would  
9 be the proper motion to request that the vote on  
10 this map be deferred until the next meeting of the  
11 Committee? Or rescheduled or reset or tabled or --  
12 I'm open to some other parliamentary suggestion. I  
13 think my intent is clear.

14 VICE-CHAIR FINE: Yeah. With all due  
15 respect, Ranking Member Geller, it's not my role to  
16 advise you on parliamentary procedure as the Chair.

17 REPRESENTATIVE GELLER: All right. Is a  
18 motion to temporarily pass this until the next  
19 meeting of the Committee in order? If so, I would  
20 make that motion.

21 VICE-CHAIR FINE: I don't think there is  
22 such a thing as you've described.

23 REPRESENTATIVE GELLER: As temporarily  
24 passed? We TP things all the time. Temporarily  
25 postpone the issue --



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1 VICE-CHAIR FINE: All right. I'm going to  
2 help you out. You could make a motion to  
3 temporarily postpone. That would be in order if you  
4 wish to make that motion.

5 REPRESENTATIVE GELLER: So moved.

6 VICE-CHAIR FINE: Okay. A motion to  
7 temporarily postpone is decided without debate --  
8 can I see this? It's -- sorry. I'm going to read  
9 this -- is decided without debate and without  
10 debate.

11 So we're going to vote. All those members  
12 choosing to vote to temporarily postpone say aye.

13 (Multiple ayes)

14 VICE-CHAIR FINE: All those opposed say  
15 nay.

16 (Multiple nays)

17 VICE-CHAIR FINE: All right. Show the  
18 motion defeated.

19 We'll move -- I'm going to let you continue  
20 with your comments though still.

21 REPRESENTATIVE GELLER: Thank you.

22 VICE-CHAIR FINE: Okay.

23 REPRESENTATIVE GELLER: I reluctantly have  
24 to speak against the map. Reluctantly, I believe  
25 that the map does not sufficiently address some of

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1 the concerns that have been raised today as far as  
2 maximizing what ought to be protected or benchmark  
3 districts such that we would have a map that is  
4 compliant with all of the Tier 1 standards that  
5 we're required to follow.

6 Reluctantly, I must conclude that the  
7 combination of a lack of public input as something  
8 that we've raised repeatedly since the very  
9 beginning of this Committee process, that we never,  
10 other than making a portal available, sought out  
11 public input in any sense, requiring people instead  
12 either to seek out the portal or to appear here  
13 today as a few have.

14 Some of the concerns raised by the public  
15 in the discussion today are concerning to me, and I  
16 think we have over relied on what the situation was  
17 back in 2010 to identify so-called benchmark  
18 districts.

19 I'm concerned that we have not had enough  
20 time to review the most recent submissions, as  
21 recently as Monday, two days ago, and that the  
22 majority vote of the Committee has been to deny us  
23 the opportunity to temporarily postpone this for  
24 further consideration at our very next Committee  
25 meeting. We're still early in session.

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1           There are some process issues that are  
2   still unclear. We've asked on a number of occasions  
3   who has specifically done the drafting of this, and  
4   a particular question was asked today as to what  
5   input may have been received by staff that was doing  
6   the drawing.

7           I know that there was a question on several  
8   occasions who was involved. We've had a generalized  
9   answer. Also that legal counsel was involved. I've  
10   yet to hear the names of who that legal counsel is.  
11   They have not been to my knowledge presented before  
12   us.

13           For these and other reasons, regretfully,  
14   maybe I should say regrettably, I'm forced to be a  
15   no vote on this map today. That might have been  
16   remedied had we had a bit more time, but  
17   regrettably, I will be voting down.

18           VICE-CHAIR FINE: Thank you.

19           Rep. Goff-Marcil, you are recognized in  
20   debate.

21           REPRESENTATIVE GOFF-MARCIL: Thank you,  
22   Mr. Chair.

23           When we were told that there was going to  
24   be -- well, there is a redistricting website where  
25   the public could go and put their input, I was very

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1 excited about that. I really thought this was going  
2 to be a process where the public could give their  
3 input and study it and work alongside with us and  
4 give lots of input.

5 It became clear that that was just  
6 something to make them think that they were giving  
7 input, and then it also became clear that we were  
8 not getting the information that we needed to be  
9 able to give our input. And by that, when I was  
10 asking the questions about the workshop maps, I was  
11 told that I could get input on those. But I was  
12 also told that they were just workshop maps, and  
13 that that was not necessarily the map.

14 And what I've learned from this process,  
15 which is a very interesting process, that it's  
16 mathematical, and there are so many different maps  
17 that could -- we could come up with based -- and  
18 still meet the criteria that we have to meet. And  
19 it might not be the policy wants that one person  
20 wants or another person wants, but it still meets  
21 the criteria to be an acceptable map.

22 So I've learned that, and that's why it  
23 would be almost impossible to try to get input on  
24 those last maps when we did not know that this  
25 current map was going to be similar to the workshop



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1 maps. So even if I thought -- and I don't -- with  
2 all these questions that have come up, I really  
3 don't know, just from sitting here for the last --  
4 since 1 o'clock, so two and a half hours -- in two  
5 and a half hours, I have not been able to determine  
6 whether this map meets the proper criteria. And  
7 even if I had determined that in my own mind, I  
8 would not think that it was acceptable that there  
9 was not enough public input on the maps.

10 So I'm not comfortable voting on these --  
11 this map today. Thank you.

12 VICE-CHAIR FINE: Representative Driskell,  
13 you are recognized.

14 And someone behind -- Representative  
15 Omphroy, was your hand up too, just so I know? It  
16 was? Yes or no. I can't tell.

17 UNIDENTIFIED FEMALE: She said no.

18 VICE-CHAIR FINE: No. Okay.

19 Representative Driskell, you are  
20 recognized.

21 REPRESENTATIVE DRISKELL: Thank you,  
22 Mr. Chair.

23 I too will be down on the maps today, and I  
24 also wish we had more time to evaluate them. This  
25 one, we just got it on Monday. We know that session

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1 is incredibly busy. We all have committee meetings  
2 and many obligations while we're here, and that  
3 short amount of time makes it difficult to be able  
4 to check in back home with our constituents. And I  
5 do believe we have the time to do that while we're  
6 here at session. Just we'd need to postpone voting  
7 on the maps today.

8 And I guess it's not just because of that.  
9 It's also because I'm not clear or perhaps even in  
10 agreement with some of the policy decisions that  
11 I've been hearing, in terms of how we've decided to  
12 develop the maps. I tried to get a lot of clarity  
13 today about what we did with respect to the Haitian  
14 population, and I know that none of the census data  
15 provides this.

16 But the ACS data does provide it. It is an  
17 estimation. Perhaps not a perfect one but it is an  
18 estimation that we could have taken into account.  
19 And I understand it doesn't include voting data, but  
20 perhaps, you know, colloquial anecdotes from our  
21 members don't include voting data as well. I just  
22 think that's all important information to consider,  
23 and that we are actually able to consider that.  
24 It's just a policy choice whether or not we do.  
25 And I had a lot of questions about the

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1 number of benchmark districts that there were and  
2 trying to understand that. I don't understand why  
3 we did not perform a functional analysis on all  
4 districts. I understand that maybe we didn't have  
5 to but not having to is different than making a  
6 decision not to. And so there are just still so  
7 many unanswered questions.

8 And it seems that the more we're able to  
9 talk about this and have these committee hearings  
10 and ask questions, the more information that we're  
11 able to get that would enable us to get to the  
12 comfort level that we need but, dare I say, that the  
13 public need as well.

14 I mean, we're about to reset Florida's maps  
15 for a decade. It merits the time, you know. This  
16 will be one of the most consequential things we'll  
17 get to do, those of us who are serving right now,  
18 that we'll ever get to do while we're in public  
19 service. So many members never get this  
20 opportunity, and we need to take the time to make  
21 sure that we get it right.

22 So thank you for the time and the  
23 graciousness in allowing so many questions today.  
24 It actually is helpful to the process, Mr. Chairs,  
25 and I do appreciate the time.

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1 VICE-CHAIR FINE: Anyone else wishing to  
2 speak in debate?

3 Representative Thompson, you are  
4 recognized.

5 REPRESENTATIVE THOMPSON: Thank you,  
6 Mr. Chair.

7 Members, you've already heard that whatever  
8 comes out of this process is something that we're  
9 bound to for a decade, and, therefore, I think we  
10 have to be very deliberate. And we need to devote  
11 the time to make sure that the result of this  
12 process allows us to make sure that the voices of a  
13 very diverse population in the state of Florida will  
14 be heard.

15 And while I've heard a lot about the 30  
16 protected districts and not wanting to diminish that  
17 number, I've not heard anything about maximizing the  
18 opportunity to have more minority access districts.  
19 And so that troubles me.

20 At the same time, we have prison  
21 populations that are counted in the census, which  
22 means that we likely have districts that are  
23 overpopulated because they count the prison  
24 population, who are not counted in the voting age  
25 population.



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1           At the same time, we have two House seats  
2   that are vacant. We have the seat that had formerly  
3   been occupied by Representative DuBois that is  
4   vacant as well as the seat that was occupied by  
5   Representative Hardy that is vacant as well, and we  
6   rely on the members to actually know their  
7   communities and to give input regarding communities  
8   of interest and geographical boundary lines and so  
9   many other things.

10           And so I support Representative Geller's  
11   recommendation that we temporarily postpone a vote  
12   today. I know we've already voted on that.  
13   however, I think because we only got the maps on  
14   Monday and in our last Committee I asked about the  
15   maps that we were reviewing and I was told that  
16   those were not, in fact, maps, so for all of these  
17   reasons, I will not be voting in favor of the maps  
18   today.

19           Thank you, Mr. Chair.

20           VICE-CHAIR FINE: Representative Omphroy,  
21   you are recognized in debate.

22           REPRESENTATIVE OMPHROY: Thank you very  
23   much, Chair.

24           I neither went to law school nor am I a  
25   mathematician, but I did take the opportunity to

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1 look at what was proposed by the two speakers that  
2 came up to speak. And while the area that I  
3 currently have the pleasure of residing in, Broward  
4 County, doesn't look off to me, I do have ask if  
5 it's possible for -- if we voted on this map today,  
6 are we going to be looking at amendments on the  
7 House Floor when it comes before us as a full House?  
8 Because I do feel as if we have missed some very  
9 critical areas that were brought up here.

10 I talk a lot more than I used to talk in  
11 the Florida House, but I do see some concerns with  
12 the fact that our benchmark numbers have not  
13 adjusted and our population has. So I love the work  
14 that we do in the Florida House, and I love the team  
15 that has been preparing these maps.

16 And I know it's no easy feat to do what is  
17 being done here today, but I would like for us to  
18 take another look at whether or not we have fully  
19 explored the possibilities for additional House  
20 Districts to be looked at as access districts. And  
21 I may be saying this incorrectly.

22 Because based on my non -- you know, I'm  
23 not a mathematician and I'm not an attorney, it  
24 looks as if we should have grown these districts to  
25 at least 45 compared to the 30 that we have sitting

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1 here just on numbers, and that's a low estimate.

2 So while my question or my debate process  
3 is this: like I said, as a representative, I  
4 represent a district solely, like we all do, but I  
5 also have to look at the state of Florida in a  
6 holistic manner and look at my state as a whole.

7 And so I'm asking for my House to relook at  
8 the possibilities of expanding the access districts  
9 to reflect more of what has taken place with the  
10 population in the state of Florida. I know this is  
11 not a happy process for us because we're all  
12 members, and we represent groups that we've fallen  
13 in love with. However, we have to also make sure  
14 the state is doing what it's supposed to do, and  
15 those are my thoughts. Thank you.

16 VICE-CHAIR FINE: Thank you.

17 And before we move on, I'd remind everyone  
18 this is a -- this will be a regular bill presented  
19 on the House Floor, should it be presented on the  
20 House Floor.

21 Anyone else wishing to speak in debate?

22 Okay. I don't see anybody.

23 So with that, Chair Leek, you are  
24 recognized to close on your PCS.

25 CHAIRMAN LEEK: Thank you, Vice-Chair Fine.

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1 And I will take a couple minutes to do  
2 this, you know. It doesn't seem all that long ago  
3 when many members on this Committee and many members  
4 in the community and in the press were looking at  
5 the Senate with awe and how quickly and beautifully  
6 they were moving through the process and wondering  
7 why the House couldn't move as fast as the Senate.  
8 And now I understand that we're, you know, we're  
9 moving too fast.

10 So I'm not sure that there was a way to  
11 make, you know, everyone satisfied with the process  
12 whether we moved more slowly or more quickly. What  
13 I do know is that when these maps are passed, the  
14 Supreme Court will get 30 days to review them and  
15 determine whether they are good maps or not good  
16 maps, which will -- that 30 days will elapse before  
17 session ends. And so if there's any more work to  
18 do, then we will be able to do that while we are  
19 here in Tallahassee.

20 You know, I hear the issues regarding  
21 public comment, and while I disagree with them  
22 generally, I will tell you that every member of this  
23 Committee -- and from day one, our initial  
24 admonition to the members of this Committee and to  
25 the members of the Florida House of Representatives



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1 as to engage, engage. Find your constituents. Talk  
2 to your constituents. Do it two times. Do it three  
3 times, whatever number of times you think it takes  
4 to get constituent input. And if folks did not do  
5 that or couldn't find a way to do that, I apologize,  
6 but you should have.

7 I will point out that any member of the  
8 Legislature could have come here today with an  
9 amendment and their own maps. Any member of this  
10 Committee could have come here today with maps that  
11 they felt were legally compliant. No one did.

12 We have answered -- let me step back a  
13 second. The public, however, did, and we did  
14 receive on 20 different occasions maps from the  
15 public, who were able to figure that out and able to  
16 get those to us.

17 I would like to point out that our two  
18 public comment speakers today, to my knowledge,  
19 neither one of them presented maps or filed maps  
20 through the portal, which they could have done but  
21 did not.

22 So I want to point out, every question  
23 that's been asked by a member in this Committee has  
24 been answered and answered directly. Every meeting  
25 request by any member of this Committee and any

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1 member of the Legislature has been taken and acted  
2 on, and we've received a lot of good comment that we  
3 were able to accommodate.

4 I'm going to move now to saying thank you.  
5 I want to thank our incredible staff. This is one  
6 of the most arduous tasks that any Legislature can  
7 undertake in any state. Our staff has worked  
8 nights, weekends, 24/7 when necessary to produce a  
9 legally compliant product.

10 I want to thank Representative Geller,  
11 Ranking Member Geller, you know. I've had the good  
12 fortune of now -- what are we, six years together  
13 here -- good fortune of spending six years with  
14 Representative Geller and always enjoyed a good  
15 relationship. And I have appreciated Representative  
16 Geller's input into this Committee.

17 I do want to give a special shoutout to  
18 Representative Driskell because there is no member  
19 who has dug in, worked harder, and been more helpful  
20 in helping us get through this process than  
21 Representative Driskell, and I thank you for it.

22 Now with that, I am pleased to present to  
23 you constitutionally compliant maps. Thank you.

24 VICE-CHAIR FINE: Thank you.

25 Members, we will now vote. Please remember

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1 to turn on your mics so your vote can be recorded.

2 DJ, please call the roll on PCS for HJR  
3 7501 and announce the vote.

4 THE CLERK: Representatives Andrade.

5 REPRESENTATIVE ANDRADE: Yes.

6 THE CLERK: Avila.

7 REPRESENTATIVE AVILA: Yes.

8 THE CLERK: Bush.

9 REPRESENTATIVE BUSH: No.

10 THE CLERK: Byrd.

11 REPRESENTATIVE BYRD: Yes.

12 THE CLERK: Clemons.

13 REPRESENTATIVE CLEMONS: Yes.

14 THE CLERK: Drake.

15 REPRESENTATIVE DRAKE: Yes.

16 THE CLERK: Driskell.

17 REPRESENTATIVE DRISKELL: No.

18 THE CLERK: Fine.

19 VICE-CHAIR FINE: Yes.

20 THE CLERK: Geller.

21 REPRESENTATIVE GELLER: No.

22 THE CLERK: Goff-Marcil.

23 REPRESENTATIVE GOFF-MARCIL: No.

24 THE CLERK: Grall.

25 REPRESENTATIVE GRALL: Yes.

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1 THE CLERK: Grant.  
2 REPRESENTATIVE GRANT: Yes.  
3 THE CLERK: Jenne.  
4 REPRESENTATIVE JENNE: No.  
5 THE CLERK: Latvala.  
6 REPRESENTATIVE LATVALA: Yes.  
7 THE CLERK: Mariano.  
8 REPRESENTATIVE MARIANO: Yes.  
9 THE CLERK: Omphroy.  
10 REPRESENTATIVE OMPHROY: Yes.  
11 THE CLERK: Payne.  
12 REPRESENTATIVE PAYNE: Yes.  
13 THE CLERK: Robinson.  
14 REPRESENTATIVE ROBINSON: Yes.  
15 THE CLERK: Rommel.  
16 REPRESENTATIVE ROMMEL: Yes.  
17 THE CLERK: Sirois.  
18 REPRESENTATIVE SIROIS: Yes.  
19 THE CLERK: Slosberg-King has been excused.  
20 Thompson.  
21 REPRESENTATIVE THOMPSON: No.  
22 THE CLERK: Tuck.  
23 REPRESENTATIVE TUCK: Yes.  
24 THE CLERK: Ex Officio Skidmore.  
25 REPRESENTATIVE SKIDMORE: No.



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1 THE CLERK: Chair Leek.

2 CHAIRMAN LEEK: Yes.

3 THE CLERK: Seventeen yeas, seven nays,  
4 Chair.

5 VICE-CHAIR FINE: Show the PCS reported  
6 favorably.

7 With that, I'll hand the gavel back to  
8 Chair Leek with the recognition that he is going to  
9 win. There you go.

10 CHAIRMAN LEEK: Thank you.

11 Thank you, members. I do appreciate all of  
12 the work that you put into this and everything it's  
13 taken to get us here today.

14 And with that, Representative Rommel moves  
15 that we adjourn.

16 (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  
4 provided 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  
8 financially interested in the action.

9

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12



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Julie Thompson, CET-1036

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