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SENATE SELECT SUBCOMMITTEE ON  
CONGRESSIONAL REAPPORTIONMENT  
NOVEMBER 16, 2021

Transcribed by:  
CLARA C. ROTRUCK  
Court Reporter

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1 T A P E D M E E T I N G

2 CHAIR BRADLEY: All right, well, the select  
3 subcommittee on Congressional reapportionment will  
4 now come to order. Danna, please call the roll.

5 MS. IVEY: Chair Bradley.

6 CHAIR BRADLEY: Here.

7 MS. IVEY: Senator Bean.

8 SENATOR BEAN: Here.

9 MS. IVEY: Senator Harrell. Senator Rouson,  
10 Senator Stewart. A quorum is present.

11 CHAIR BRADLEY: Thank you. Please silence all  
12 electronic devices. Anyone wishing to testify  
13 before the subcommittee must fill out an appearance  
14 card and hand it to a member of the Sergeant's  
15 office. Should you select to waive your speaking  
16 time, your position will be read into the record.

17 Members, we have a number of items on our  
18 agenda today, but before we continue I would like  
19 to take a moment to talk about the process we are  
20 about to embark on. Under Senate rules, select  
21 committees do not consider legislation. We study  
22 or investigate a specific issue falling within the  
23 jurisdiction of a standing committee. In this case  
24 that issue is the redrawing of Florida's  
25 Congressional district. And so we will use the

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1 time allotted to workshop the staff-produced maps  
2 and provide feedback and guidance to staff where  
3 appropriate. Our feedback and guidance should  
4 conform to the directives issued unanimously by the  
5 full committee, and you will find a copy of the  
6 directives in your meeting materials. Our feedback  
7 and guidance to staff should also be consistent  
8 with the cautions expressed in the memorandum we  
9 received last week from President Simpson,  
10 President Designate Passidomo and Leader Book. Our  
11 responsibility as a select subcommittee is to  
12 assist the full committee in proposing a  
13 constitutional Congressional map free of any  
14 improper intent. I know that every member of this  
15 subcommittee shares that goal.

16 I would caution members in their questions,  
17 feedback or guidance to the staff today to express  
18 themselves carefully so that nothing said in this  
19 meeting is misperceived as motivated by any  
20 impermissible purpose. In the future, we will  
21 submit a recommendation which will include a map or  
22 set of maps to the full committee. When Chair  
23 Rodrigues reconvenes the full committee to consider  
24 our recommendations, members may offer amendments.

25 Accordingly, the maps that we will be

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1       workshopping today are not final. Any alterations  
2       that are proposed, whether it is guidance and  
3       feedback to the staff or as an amendment offered in  
4       the future, to adhere to the constitutional  
5       principles and apply them consistently throughout  
6       the state. I have been advised by counsel that all  
7       plans brought forward by staff today comply with  
8       the complex layering of federal and state  
9       standards, and contain various tradeoffs within the  
10      equal Tier 2 standards presented in each plan.

11           It is within the balancing of these tradeoffs  
12      that we must exercise our legislative discretion  
13      and produce a constitutionally compliant map.  
14      Staff has also informed me that while no Senators  
15      have requested that staff review the publicly  
16      submitted comments or plans for consideration while  
17      developing the maps we are workshopping today,  
18      members of the public have been continuing to  
19      submit plans and comments to Florida  
20      redistricting.gov. I have reviewed some of these  
21      myself and I would like to make sure that members  
22      of the committee are aware of them. They can be  
23      reviewed on the submitted plans and get involved  
24      pages of the website. Are there any questions  
25      before we proceed to public comment and

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1 presentations on our agenda? Senator Rouson.

2 SENATOR ROUSON: Thank you very much. Would  
3 you clarify, you said that no staff, staff has not  
4 advised you that they have received any maps from  
5 the public? Is that what you said, I am sorry?

6 CHAIR BRADLEY: No, staff has, any maps that  
7 have been received are on the joint, they are on  
8 the joint website. Any further questions? Okay.

9 Mr. Ferrin, you are recognized for a walk  
10 through of the staff prepared plans. We will start  
11 with the first map in a comprehensive fashion and  
12 geo through the entire state. And then as we reach  
13 the subsequent maps we will focus on the  
14 differences between that and the first map. We  
15 will stop for questions after each region as  
16 opposed to waiting to the end. I think there will  
17 be more relevant and help our discussion. Mr.  
18 Ferrin, you are recognized.

19 MR. FERRIN: Thank you Madam Chair. So we  
20 have produced a series of maps since receiving the  
21 directives the last time the full committee met on  
22 October 18th. The plans we will be workshopping  
23 today, districts have been numbered to be roughly  
24 analogous to the benchmark districts. The  
25 exception, of course, in the Congressional case is

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1 District 20-H -- 28 which didn't exist in the  
2 benchmark plan. We relied on the plain language of  
3 the Constitution and existing judicial precedent to  
4 insure that the plans comply with the complex  
5 layering of federal and state standards, and we  
6 drew these districts to balance the co-equal Tier 2  
7 standards of Article III, Sections 20 and 21 of the  
8 Florida Constitution unless doing so would conflict  
9 with the Tier 1 standards. To comply with the Tier  
10 1 standards we drew these districts without  
11 reviewing any political data other than where it  
12 was required to perform an appropriate functional  
13 analysis to evaluate whether or not a district  
14 denied or abridged a racial or language minority's  
15 group's ability to participate in the political  
16 process or diminish their ability to elect  
17 representatives of their choice. Districts were  
18 drawn without the use of any resident's information  
19 of any sitting member of the Florida Legislature or  
20 of Congress, and districts were drawn without  
21 regard to the preservation of existing district  
22 boundaries.

23 To comply with the Tier 2 standards we drew  
24 the districts to be nearly -- as nearly equal in  
25 population as practicable with district population

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1 deviations of plus or minus one person for the  
2 ideal population of 769,221. Districts were drawn  
3 to be visually compact in relation to their shape  
4 in geography. Mathematical scores were used where  
5 appropriate. Districts were drawn to use county  
6 boundaries where feasible, and in less populated  
7 areas whole counties were grouped together to make  
8 a district or a set of districts, and in more  
9 populated areas where it was feasible to do so,  
10 districts were kept wholly within a county.

11 Plans were also drawn to use geographic  
12 features that are easily recognizable and readily  
13 ascertainable, such as for district boundaries  
14 where feasible. The boundary analysis for each  
15 plan illustrates the rate at which railroads,  
16 interstates, federal and state highways and large  
17 water bodies were used for district boundaries for  
18 each district. To keep cities whole, we drew the  
19 plans to keep cities whole where doing so was  
20 feasible, while recognizing that the impermanent  
21 and irregular shapes of municipal boundaries were  
22 present, and if or when a city was split, we sought  
23 out static geographic features to use as district  
24 boundaries. And accordingly as a result of all  
25 this, the plans we have before us today illustrate

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1 a number of tradeoffs within these co-equal Tier 2  
2 criteria and are presented to the committee for  
3 exercise of the legislative discretion.

4 All these plans were published last Wednesday,  
5 and they're available on Florida Redistricting.gov,  
6 where they can be viewed inactively or downloaded  
7 from the submitted plans' page for independent  
8 analysis. Each one of these links in the  
9 PowerPoint if anybody has their laptop up with that  
10 running will link to an interactive map for each  
11 plan. The reference layers can be added to that to  
12 show county boundaries, city boundaries, major  
13 roads and railways, so that members can zoom in and  
14 around the map to follow along that way if they  
15 choose. As part of the meeting materials, we  
16 published these plan packets. Each member here has  
17 received a hard copy of those. Those are also  
18 available on the select subcommittee's web page for  
19 the public consumption.

20 These plan packets contain everything used to  
21 analyze a redistricting plan. The data comes from  
22 the redistricting application and is simply  
23 re-formated for easier consumption. A -- the cover  
24 page for these contains a statewide map with insets  
25 of south Florida, Jacksonville, Tampa Bay and

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1 Orlando. It also contains a -- pages of censuses  
2 and boundary statistics. It contains a list of  
3 split -- split counties and cities and a functional  
4 analysis of districts protected from non  
5 diminishment standards in the Constitution. We  
6 have included in the meeting materials a copy of  
7 the over/under map as well that shows the existing  
8 boundaries as they are either over or under  
9 populated and it is color coded accordingly. And  
10 we have also included a packet of the benchmark  
11 plans that were drawn in 2016.

12 The census and boundary statistics page shows  
13 the districts' population deviation from the ideal  
14 and it is also expressed as a percentage. It also  
15 shows the voting age population for BVAP which is  
16 black voting age, and that includes respondents who  
17 identified as being black either singularly or in  
18 combination with some other race and/or ethnicity.  
19 That includes Hispanic and Hispanic blacks or  
20 blacks who responded that they were also Hispanic.

21 The HVAP is also there, that is the Hispanic  
22 voting age population. That includes respondents  
23 who identified as Hispanic and being of any race or  
24 in combination of races. That also includes black  
25 Hispanics as well. So just a word of caution, if

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1       you were to add those two together, you would  
2       generally be double counting the Hispanic black if  
3       they're reported separately, so that each is  
4       included in their totality, and that is consistent  
5       with the DOJ guidelines.

6       The reports also contain district area in  
7       square miles, perimeter in miles and the  
8       compactness scores for each district. That is the  
9       convex hull, polsby popper and Reock. The reports  
10      includes counts of whole and partial counties and  
11      partial, whole and partial cities within each  
12      district. Counts of counties and cities that have  
13      all of their population in only one district, and  
14      each district boundary's coincidence with certain  
15      types of features that have been identified by the  
16      U.S. Census Bureau, and those include the same kind  
17      of features that were identified or recognized by  
18      the Florida Supreme Court as being political and  
19      geographic boundaries. So that city boundaries,  
20      county boundaries, primary and secondary roads  
21      which include interstates, U.S. highways and state  
22      highways, railroads and then water features with a  
23      contiguous area of greater than 10 acres.

24      The report also includes a field that shows  
25      the portion of each district's boundary that does

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1 not coincide with these features, and that is  
2 labeled as not, not or non poly geo.

3 So on the next pages in the analysis of the  
4 plan packets include the list of split counties and  
5 split cities, and just one note. While we do  
6 include the benchmark plan here for 2016, that has  
7 the 2020 population in geography. Note on the  
8 Congressional plan, the benchmark is specifically  
9 as it relates to cities. When it was drawn, it was  
10 drawn to only split 13 cities, but without moving  
11 any district lines, the benchmark plan now splits  
12 three times as many, so that count rises to 39, and  
13 that is due to the impermanent and ever changing  
14 nature of the municipal annexation.

15 The last few pages in a plan packet include  
16 the functional analysis. So the summary pages,  
17 there is two summary pages. The first, all of the  
18 functional analysis documents list only the  
19 districts for which is necessary to evaluate  
20 whether or not a district denies or abridges a  
21 racial or language minority group's ability to  
22 participate in the political process or diminishes  
23 their ability to elect representatives of their  
24 choice. We again report the BVAP and HVAP  
25 population percentages.

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1           And then on the first summary page we have the  
2           2020 general election voter registration  
3           information for registration by party, registration  
4           by race or ethnicity, registration by race or  
5           ethnicity and party, and then registration by party  
6           and race or ethnicity.

7           The next summary page includes an average of  
8           voter turnout in 2012, 2014, 2016, 2018, and 2020  
9           primary elections. And that includes turnout  
10          percentages by party and by race or ethnicity. We  
11          also include an average of voter turnout in the  
12          2012, 2014, 2016, 2018 and 2020 general elections.  
13          That is broken out for turnout by party, turnout by  
14          party and race or ethnicity, and then turnout by  
15          race or ethnicity and party.

16          Finally we have the general election  
17          performance in statewide elections for 2012 through  
18          2020, and this includes average performance which  
19          is vote share for the Democrat and Republican  
20          candidate in that -- in that district for those  
21          years. It includes a count of wins in statewide  
22          contests for Democrat and Republican candidates,  
23          and then we have a series of margins. So we show  
24          the max -- maximum margin of victory in a statewide  
25          contest for either the Democrat or Republican

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1 candidate. We show the minimum margin of victory  
2 in a statewide contest for either the Democrat or  
3 Republican candidate, and then the average margin  
4 of victory in the statewide contest.

5 Then the final page of the plan packet is the  
6 functional analysis that shows the returns for  
7 elections. So on the other pages we kind of  
8 summarized those by counts. This actually shows  
9 the percentage of votes received by each candidate  
10 in the contest for which there was a statewide  
11 primary election which is the 2012, 2014, 2016 and  
12 2018. There was no statewide primary contest in  
13 2020. And it also shows the percentage of the  
14 votes received by each candidate in contests for  
15 which there was a statewide general election in  
16 2012, '14, '16, '18 and '20.

17 So before we jump into the first plan, Madam  
18 Chair, do you want to take any questions on the  
19 reports and how those are laid out?

20 CHAIR BRADLEY: Members, do you have any  
21 questions of what Mr. Ferrin just described?  
22 Senator Rouson.

23 SENATOR ROUSON: Thank you very much, Madam  
24 Chair. On slide four you talk about large water  
25 bodies and the role that they may have played in

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1 the calculation. Is it fair to say, to ask a  
2 question now about CD 14 and what impacts, if any  
3 did the full Tamp Bay or the large body of water  
4 have to do with what was drawn.

5 CHAIR BRADLEY: Senator Rouson if -- I think,  
6 that if we could hold that until we get to that  
7 region and we can consider it kind of  
8 comprehensively at that time. Is that okay with  
9 you?

10 MR. FERRIN: All right, so the first plan is  
11 plan S000C8002. And pursuant to the directives  
12 given to staff, this plan was drawn to be  
13 consistent with the plain language of the Florida  
14 Constitution, federal law and existing judicial  
15 precedent. It balances the co-equal criteria  
16 outlined in the Tier 2 standards of Article III,  
17 Section 20 of the Florida Constitution, except  
18 where doing so conflicts with the Tier 1 standard.  
19 The functional analysis of the minority districts  
20 in the plan confirm that it does not diminish the  
21 ability for racial and language minorities to elect  
22 candidates of their choice.

23 When we were drawing these visually compact  
24 districts, county boundaries were used where it was  
25 feasible to do so. When a county was split, the

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1 static geographic features, such as major roads,  
2 railroads and water bodies were used in a manner  
3 sought to keep cities whole where feasible. In  
4 cases where a city was split, static geographic  
5 features were used. Where none were available or  
6 in cases where it was possible to illustrate the  
7 tradeoff between using political or geographic  
8 features, a municipal boundary may have been used.

9 The plan has an overall deviation of one  
10 person which is zero percent. It has average  
11 compactness scores of .80 convex hull .41 polsby  
12 popper and .44 Reock. The average use of non  
13 political or geographic boundaries is 11 percent,  
14 which means that 89 percent of the district  
15 boundaries fall in features identified by the U.S.  
16 Census Bureau's geographic layers as either city  
17 boundaries, county boundaries, interstates, U.S.  
18 highways or state roads, contiguous water bodies of  
19 greater than 10 acres or railroads. The plan has  
20 46 whole counties, five districts wholly located  
21 within a county. 351 cities with all of their  
22 population contained within a single district, and  
23 362 cities -- excuse me, 351 cities with all their  
24 boundaries contained within a single district, and  
25 362 to have all their population in a single

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1 district.

2 Like the benchmark plan, this plan has three  
3 affective minority districts for African-Americans  
4 and that is Congressional District 5, 20, which is  
5 the majority/minority and 24. There is one  
6 district that provides African-Americans with the  
7 opportunity to elect their candidates of choice,  
8 and that is District 10. Three minority/majority  
9 Hispanic districts in south Florida and an  
10 opportunity district in central Florida that has  
11 become a majority/minority Hispanic district, and  
12 that is Congressional District 9.

13 On this slide we have the statewide plan, so  
14 we can go ahead and jump into the first region. So  
15 in plan 8002 in the Panhandle, Districts 1 and 2  
16 split Walton county. The county boundary primarily  
17 follows state highway 83 north from the state line  
18 and U.S. highway 331 between DeFuniak Springs and  
19 the Gulf of Mexico. It departs from these roads to  
20 keep DeFuniak Springs whole in District 2, and uses  
21 part of the boundary of the city of Freeport to  
22 keep the city whole in District 1. (Inaudible).

23 The next region to look at is the north, north  
24 and central Florida and northeast Florida. Here  
25 the shapes of District 2, 3 and 4 are result of the

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1 configuration of District 5, in a comparably low  
2 population growth rates in the region. District 5  
3 is an affected minority district protected under  
4 Tier 1 of Article III of Section 20 of the Florida  
5 Constitution from diminishment.

6 While the BVAP increases slightly from the  
7 benchmark, the functional analysis confirms that  
8 the district does not deny or abridge the  
9 opportunity for African-Americans to participate in  
10 the political process, and does not diminish their  
11 ability to elect candidates of their choice.

12 In Leon County the boundary of District 2 and  
13 5 primarily follows Capital Circle, U.S. Highway 27  
14 which is Apalachee Parkway, North Monroe Street,  
15 Meridian Road, Bannerman Road, Bradfordville Road  
16 and Centerville Road and State Road 59.

17 In Columbia County, the boundary of Districts  
18 2 and 5 primarily follows interstates 10, 75, U.S.  
19 highway 90 and state road 10-A, state road 100.

20 SENATOR BEAN: Madam Chair, may I just  
21 interrupt real quick, and Jay. And it may be  
22 just -- it may just be me. Is there any reason why  
23 the coast is shaded on the maps there. Is that  
24 anything or I am just seeing it or is that -- what  
25 is that -- why is it shaded differently from other

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1 parts of the map?

2 CHAIR BRADLEY: You are speaking of District  
3 2.

4 SENATOR BEAN: District 2. Well, District 2,  
5 but also runs in District 1 and the other  
6 materials.

7 CHAIR BRADLEY: Sure.

8 SENATOR BEAN: There may be no reason. Maybe  
9 it is esthetics, maybe just look, there is a  
10 definite twist in the color, and I wondered is it  
11 anything?

12 MR. FERRIN: Thank you Madam Chair. That is  
13 the water layer. And so in -- in reviewing these,  
14 putting these slides together we clicked on some of  
15 the relevant layers that would show like rivers,  
16 lakes, things like that. The roads you see in the  
17 slide are major roadways. We didn't turn on city  
18 boundaries and labels because that got a little  
19 too, too busy. And so this is kind of just the  
20 base map and then the shading of the district color  
21 over that. We can look at maybe trying to do that  
22 a little bit differently, but that --

23 CHAIR BRADLEY: Okay, anything else? All  
24 right. You can continue.

25 MR. FERRIN: All right, thank you, Madam

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1 Chair. So in Duval County the boundary between  
2 Districts 4 and 5 follows U.S. highway 17,  
3 interstate 295, Beach Boulevard, University  
4 Boulevard, Roosevelt Boulevard and the Ortega  
5 River. To equalize population under this plan,  
6 District 2 extends into Alachua County. That  
7 allows for Districts 3 and 11 to be the only  
8 districts in Marion County.

9 In Alachua County, the boundary between  
10 Districts 2 and 3 follows major roadways and  
11 include state road 26 which is Newberry Road, state  
12 road 24 which is Archer Road, interstate 75 and  
13 then Williston Road. While the city of Gainesville  
14 is split, 99 percent of the population of the city  
15 is in District 3, and that split was necessary to  
16 achieve the equalization of the population down to  
17 plus or minus one person.

18 In Marion County the boundary of Districts 3  
19 and 11 primarily follows state roads 200, 35 and  
20 40, and a portion of interstate 75. Where we  
21 needed to equalize the population down to plus or  
22 minus one person, the city of Ocala is split,  
23 although 99.4 percent of the population of Ocala  
24 does fall within District 3.

25 District 6 which is kind of sort of bleeding  
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1 off the screen there, consist of southern St. Johns  
2 County, Flagler County, most of Volusia and the  
3 southern -- northern portion of Lake. The boundary  
4 between Districts 4 and 6 utilizes State Road 16,  
5 13 and Interstate 95. And where the boundary does  
6 divide St. Augustine and follows a railroad,  
7 keeping 82.9 percent of the population of St.  
8 Augustine within District 6.

9 The next region in 8002 is the what we call --  
10 would call the I-4 region, and this includes the  
11 southern portion of District 6, District 7, 8, 9,  
12 ten, 11, 12, 13, 14, 15, and then the additional  
13 district, District 28.

14 The southern boundary of District 6 borders  
15 District 7 in Volusia, primarily follows West  
16 Highbanks Road, Doyle Road and O'Steen, Maytown  
17 Road. Departs from these geographic boundary --  
18 geographic features when necessary to equalize  
19 population in and around the city of Deltona and  
20 Neveri. In Lake County the boundary primarily  
21 follows county road 44-A and the Eustis, Mt. Dora  
22 city boundaries -- and Mt. Dora city boundary.

23 District 7 consist of all of Seminole County  
24 and parts of Volusia and orange. Its shape is  
25 affected by the configurations of District 9 and

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1 10, which are minority opportunity districts  
2 protected from diminishment under Tier 1 of Article  
3 III, Section 20 of the Florida Constitution. In  
4 Orange County the boundary between District 7 and  
5 10 follows I-4. The Seaboard Coast Railroad and  
6 State Road 50 which is Colonial Drive, state road  
7 417, state road 408 issuing the East-west  
8 Expressway, state road 434, the Alafaya Trail and  
9 the Econlockhatchee River. Departing from these  
10 geographic boundaries when necessary to maintain  
11 the ability to elect in the neighboring Tier 1  
12 districts and to equalize population.

13 District 8 contains all of Brevard County and  
14 portions of Indian River and Orange County.  
15 District 9 is a Hispanic opportunity district  
16 protected from diminishment under Tier 1. And due  
17 to an increase in the Hispanic population of the  
18 area this district becomes majority/minority. The  
19 functional analysis confirms that the district does  
20 not deny or abridge the opportunity for Hispanics  
21 to participate in the political process, and does  
22 not diminish their ability to elect candidates of  
23 their choice. The district contains all of Osceola  
24 County and part of Orange County. In Orange the  
25 boundary follows I-4, Sand Lake Road, Conway Road,  
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1 East Colonial Drive and the East-West Expressway  
2 along with the Alafaya Trail and the  
3 Econlockhatchee River. It departs from these  
4 boundaries when necessary to maintain the ability  
5 to elect in neighboring Tier 1 protected districts  
6 and to equalize population.

7 District 10 is wholly located within the  
8 remainder of Orange County. It is an  
9 African-American opportunity district protected  
10 from diminishment under Tier 1. The BVAP slightly  
11 increases from the benchmark, but the functional  
12 analysis confirms that the district does not deny  
13 or abridge the opportunity for African-Americans to  
14 participate in the political process and does not  
15 diminish their ability to elect candidates of their  
16 choice.

17 District 11 contains all of Citrus County and  
18 shares the boundary with District 3 in Marion and  
19 District 28 in Sumter. It also shares the boundary  
20 with Districts 28 and 6 in Lake. While Sumter  
21 County split, the boundary follows state road 50  
22 and 99.8 percent of the population of Sumter County  
23 is within District 11. In Lake County the boundary  
24 primarily follows state road 50, state road 33 and  
25 state road 565-E. Departs where necessary to --

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1 departs from these geographic features when  
2 necessary to equalize population.

3 District 12 contains all of Hernando and Pasco  
4 Counties and a small portion of Pinellas where it  
5 shares the boundary with District 13, and that was  
6 necessary to equalize population in the area.

7 District 13 is wholly contained within  
8 Pinellas County. The boundary between District 13  
9 and 14 in Pinellas primarily follows U.S. highway  
10 19, state road 688 which is Armaton Road, state  
11 road 686 which is Roosevelt Boulevard and U.S.  
12 Highway 92 which is Gandy.

13 District 14 contains the northeastern part of  
14 Pinellas and the northwestern part of Hillsborough  
15 County where it is adjacent to District 15. There  
16 the boundary primarily follows interstate 275, CSX  
17 and Amtrak Railroad and U.S. highway 441.

18 SENATOR ROUSON: Chair.

19 CHAIR BRADLEY: Senator Rouson, you are  
20 recognized.

21 SENATOR ROUSON: Thank you very much. Why was  
22 it necessary to split the city of Gulfport in  
23 District 13?

24 MR. FERRIN: Senator, Gulfport is just west of  
25 St. Pete. It is the tip of the peninsula there.

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1 That is not going to be split in the Congressional  
2 plan.

3 SENATOR ROUSON: I must have been confused  
4 with the Senate.

5 MR. FERRIN: You may.

6 SENATOR ROUSON: A follow up. So in 14 you  
7 come down into Pinellas County picking up Lake  
8 Tarpon and Feather Sound which is near the  
9 Clearwater area which is further into Pinellas than  
10 14 is traditionally in. Why was that necessary?

11 MR. FERRIN: Senator Rouson, the configuration  
12 of Districts 14 and its going into Pinellas County  
13 is the factor of the use of county boundaries  
14 throughout the region. So by keeping Hernando and  
15 Pasco whole, that district falls about 12,000,  
16 13,000 people short of being a full district. So  
17 that has to get that additional population from  
18 somewhere. District 13 starts in southern Pinellas  
19 and grows north, but if District 13 were to stop  
20 somewhere in the Clearwater Feather Sound area,  
21 District 14, some districts would have to take that  
22 additional population all the way between 12 and  
23 13, all the way out to the Gulf of Mexico, and I  
24 think putting that in District 14 would look a  
25 little odd. If you were to try to grow, fill that

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1 extra population with District 12 that is coming  
2 down from the north in Pinellas, something would  
3 have to make up for that additional 150, 160,000  
4 people. So somewhere District 12 would have to  
5 lose that many, that much population. So District  
6 14 would essentially stop at the Hillsborough,  
7 Pinellas line, but go north into Pasco through, to  
8 balance the population between those three  
9 districts.

10 SENATOR ROUSON: So, I am sorry, follow up.  
11 So either way whether it goes north or whether it  
12 goes south like you have drawn it, it has to pick  
13 up additional population?

14 MR. FERRIN: That is correct, Senator. By  
15 trying to draw 15 wholly within Hillsborough County  
16 to keep that, respect that county boundary, it also  
17 enables Polk to stay whole. That means that 14 has  
18 to pick up that population from somewhere.

19 SENATOR ROUSON: What impact, if any, did  
20 Tampa Bay, that large body of water have on  
21 district boundary?

22 MR. FERRIN: So the southern boundary of  
23 District 14 is going to use Tampa Bay as the tip of  
24 the peninsula there in Tampa as a boundary.  
25 Otherwise, we -- we do have to assign all geography

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1 in the state. We can't leave stuff unassigned even  
2 if it is water. And so using that simply as the  
3 southern boundary, it just worked out that way that  
4 the bays contained there within District 14 all of  
5 Tampa Bay.

6 SENATOR ROUSON: May I. And just a general  
7 question for the listening public. What is the  
8 difference between a minority opportunity as  
9 opposed to a minority seat? I think you said that  
10 Districts 5, 20 and 24 are minority seats. But  
11 Districts 9 and 10 are a minority opportunity.

12 MR. FERRIN: So Senator Rouson, we generally  
13 categorize those as we have several categories, one  
14 of which is minority/majority. That is where the  
15 majority of the district's voting age population is  
16 minority. So the VAP is over 50 in that  
17 circumstance, the majority/minority district. We  
18 have affective minority districts in which the VAP  
19 may fall below the majority status, but the  
20 minority voting age population of the minority  
21 voters still control the primary within either the  
22 Republican or Democratic primary. And so by  
23 turning, measuring the turnout there. So if the  
24 black turnout in the Democratic primary is over  
25 60 percent, we can conclude that that is probably

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1 an affective minority district if it does in fact  
2 perform for Democrats in the general. And so that  
3 is the affective minority district. The  
4 opportunity is where the primary control is not  
5 conclusive, where the minority voters that are  
6 turning out in the primaries do not exceed -- do  
7 not make up a majority, and therefore, they still  
8 depend on either crossover votes from white voters  
9 or coalescing with other minority groups to  
10 nominate and then elect their candidate of choice.

11 CHAIR BRADLEY: Any additional questions? All  
12 right.

13 MR. FERRIN: Thank you, Madam Chair. I think  
14 we left off on District 15 which is wholly  
15 contained within northeastern Hillsborough County.  
16 It does share the boundary with District 14 to the  
17 west and District 16 to the south. The boundary  
18 between Districts 15 and 16 primarily follows the  
19 CSX and Amtrak Railroad, U.S. highway 301 and state  
20 road 674.

21 District 28 does contain all of Polk County  
22 and the southern parts of Sumter and Lake Counties  
23 where it shares the boundary with District 11.

24 This slide depicts the southern half of the  
25 state. District 16 contains the remaining portion

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1 of southern Hillsborough County, all of Manatee  
2 County and part of Sarasota County in Sarasota  
3 where the district shares the boundary with  
4 District 17. The boundary primarily follows I-75  
5 and the boundary of the city of North Port to keep  
6 North Port wholly within District 17. To equalize  
7 the population, the boundary follows the local  
8 roadways in and around the city of Venice.

9 District 17 contains all of Charlotte, Desoto,  
10 Hardee, Highlands, Glades and Okechobee counties.  
11 It also contains a portion of Sarasota not in  
12 District 16, and a part of Lee County. In Lee  
13 County the boundary primarily follows Tamiami  
14 Trail, the Seaboard Coast Line Railroad, I-75,  
15 state road 82.

16 District 18 over on the east cost contains all  
17 of St. Lucie and Martin County, parts of Indian  
18 River and Palm Beach County. In Indian River  
19 County, the district shares the boundary with  
20 District 8 to the north and the boundary primary  
21 follows state road 60 and other local road to  
22 equalize the population. In Palm Beach County, the  
23 district shares the boundary with District 20,  
24 which is a minority/majority district protected  
25 from diminishment under Tier 1.

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1           Moving further south, District 19 contains  
2 parts of Lee and Collier Counties. In Lee County  
3 the district shares the boundary with District 17,  
4 and in Collier County the shape of the district is  
5 the result of the configuration of District 25  
6 which is a Hispanic majority/minority district  
7 protected from diminishment under Tier 1.

8           The boundary between District 19 and 25  
9 primarily follows I-75, U.S. highway 41 which is  
10 the Tamiami Trail and departs from these geographic  
11 features when necessary to equalize population.

12           District 20, the majority/minority, excuse me,  
13 the minority/majority district protected from  
14 diminishment under Tier 1. The functional analysis  
15 confirms that the district does not deny or abridge  
16 the opportunity for African-Americans to  
17 participate in the political process, and does not  
18 diminish their ability to elect candidates of their  
19 choice.

20           District 20 contains parts of Palm Beach and  
21 Broward County, and Palm Beach, the district shares  
22 the boundary with District 18 to the north,  
23 Districts 21 and 22 to the southeast. The boundary  
24 primarily follows state road 710 which is the  
25 Beeline Highway, Seminole Pratt Whitney Road, state  
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1 road 704 which is Okeechobee Boulevard, Jog Road,  
2 the Florida Turnpike and state road 809 which is  
3 Military Trail. It also uses portions of I-95,  
4 North Lake Boulevard, U.S. Highway 1 and the  
5 Federal East Coast Railroad as well as U.S. Highway  
6 98, state road 80 which is Southern Boulevard, and  
7 then uses the boundary of the Loxachatchee wildlife,  
8 National wildlife refuge there in central Palm  
9 Beach County.

10 In Broward County the boundary primarily  
11 follows the Sawgrass Expressway, Pompano canal,  
12 state road 814 which is Atlantic Boulevard, the  
13 Florida Turnpike, the Seaboard Coast Railroad,  
14 state road 811 which is Dixie Highway, Florida East  
15 Coast Railroad, Interstate 95 and the city boundary  
16 of Wilton Manors as well as interstate 75.

17 The boundary of District 20 does depart from  
18 these features when necessary to equalize  
19 population and to maintain the ability to elect in  
20 this Tier 1 protected district. The shapes of  
21 Districts 21 and 22 are result of the configuration  
22 of District 20 which as we just discussed, a  
23 majority/minority district. In this plan the  
24 districts are configured vertically. This  
25 configuration allows District 22 to utilize

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1 political and geographic boundaries at a high rate,  
2 only nine percent non political or GO, and although  
3 District 21 scores relatively low on the boundary  
4 usage, it is largely due to the fact that that  
5 natural wildlife refuge doesn't actually count as a  
6 geographic boundary under our definition.

7 And while the Reock scores for the districts  
8 are relatively low, the convex hull scores are  
9 reasonably high given the district's proximity to  
10 and interaction with the Tier 1 protected District  
11 20. Districts 21 and 22 contains parts of Palm  
12 Beach and Broward Counties. District 21 shares the  
13 boundary with District 20 to the north, west and  
14 south, and in Palm Beach County the eastern  
15 boundary of District 21 is shared with District 22.  
16 Their it primarily follows state road 809 which is  
17 Military Trail, the Florida Turnpike and part of  
18 the county line.

19 District 23 is wholly contained within Broward  
20 County where it shares boundaries of Districts 20,  
21 22 and 24. The boundary primarily follows I-75 and  
22 the western boundary of the cities of Sunrise,  
23 Weston, Southwest Ranches, Pembroke Pines and  
24 Miramar. In Sunrise and Plantation the boundary  
25 departs from geographic features when necessary to

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1 maintain the ability to elect in the neighboring  
2 Tier 1 protected district and to equalize the  
3 population. Where the district shares the boundary  
4 with District 22, the boundary primarily follows  
5 I-95, 595 and the interstate 595, U.S. Highway 1  
6 and the Florida East Coast Railroad.

7 Where District 23 shares the boundary with  
8 District 24, which is an affective minority  
9 district protected from diminishment under Tier 1.  
10 The boundary primarily follows state road 824 which  
11 is Pembroke Road. District 24 as I just mentioned,  
12 is an affected African-American minority district  
13 protected from diminishment under Tier 1. When  
14 compared to the benchmark, District 24 has a very  
15 similar black voting age population, and the  
16 functional analysis confirms that the district does  
17 not deny or abridge the opportunity for  
18 African-Americans to participate in the political  
19 process, and does not diminish their ability to  
20 elect candidates of their choice.

21 District 24 contains a small part of Broward  
22 and parts of Miami-Dade County. In Broward County  
23 the boundary primarily follows state road 824 which  
24 is Pembroke Road, and in Miami-Dade County the  
25 boundary primarily follows state road 817 which is

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1 Northwest 27th Avenue, I-95 -- excuse me,  
2 interstate 195 and interstate 395 and the Parker  
3 causeway. The boundary does depart from these  
4 geographic features when necessary to equalize  
5 population and to maintain the ability to elect in  
6 the district as well as in the two neighboring  
7 Hispanic majority/minority districts.

8 And all of the districts remaining in  
9 Miami-Dade County are in fact Hispanic  
10 majority/minority districts that are protected from  
11 diminishment under Tier 1. The functional analysis  
12 of each of these does confirm that they do not deny  
13 or abridge the opportunity for Hispanics to  
14 participate in the political process -- political  
15 process, and do not diminish their ability to elect  
16 candidates of their choice.

17 District 25 contains all of Hendry County and  
18 parts of Collier and Miami-Dade County. In Collier  
19 County the district shares the boundary with  
20 District 19. In Miami-Dade County the district  
21 shares boundaries with Districts 24 and Districts  
22 26 and 27. Where District 25 shares the boundary  
23 with district 26, the boundary primarily follows  
24 U.S. highway 41, which is the Tamiami Trail and  
25 state road 836, which is the Dolphin Expressway.

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1 Where District 25 shares the boundary with District  
2 27, primarily follows the Dolphin Expressway and  
3 the Tamiami canal and Seaboard canal. The boundary  
4 departs from these geographic features when  
5 necessary to equalize the population and to  
6 maintain the ability to elect in this and  
7 neighboring Tier 1 districts.

8 CHAIR BRADLEY: I believe we have a question.  
9 Could you hold right there. Senator Stewart, you  
10 are recognized.

11 SENATOR STEWART: Yes, it is primarily on the  
12 25 and I don't know if 20 -- if you tell me where  
13 the Everglades is located on this map?

14 MR. FERRIN: Senator Stewart, it is going to  
15 be kind of in the middle. It is -- so -- so I  
16 would say that the Everglades depending on your  
17 definition of them, is going to start south of Lake  
18 Okeechobee and follow all the way through the  
19 peninsula down to the tip of Monroe County which  
20 you can't actually see here, but by and large the  
21 Everglades is going to be -- so do you see where  
22 the map says Miami-Dade on the screen? Can you  
23 read that perhaps? To the -- to the west of that,  
24 that is all Everglades, and then I would say  
25 generally north -- south of the -- that is I-75

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1 which is the middle red line that crosses there  
2 crosses from Collier to Broward. That is kind of  
3 the heart of it right there, so everything south,  
4 and then as you get up further north into Hendry  
5 and southwestern Palm Beach, that is -- that is  
6 where the Everglades start to kind of end and that  
7 is where some of the farming communities in the  
8 state sort of begin.

9 SENATOR STEWART: So primarily the bulk of it  
10 is in 25, no, yes?

11 MR. FERRIN: I would suggest that the  
12 Districts 20, 25 and 26 are going to have a lot of  
13 Everglades in them.

14 CHAIR BRADLEY: Anything further? Any  
15 additional questions? All right.

16 MR. FERRIN: We just left off on District 25 I  
17 believe. So District 26 does contain all of Monroe  
18 County and part of Miami-Dade. Miami-Dade, the  
19 boundary follows the Tamiami Trail and the  
20 boundaries of the city of Sweetwater and the  
21 Florida Turnpike. It departs from these geographic  
22 features when necessary to equalize population.

23 In District 27 finally is contained wholly  
24 within Miami-Dade County. There the boundary  
25 primarily follows the Florida Turnpike, the Dolphin

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1 Expressway, interstate 395 and the Parker Causeway.  
2 It departs from three geographic boundaries when  
3 necessary to equalize population and maintain the  
4 ability to elect in this and in neighboring Tier 1  
5 protected districts.

6 CHAIR BRADLEY: All right, well, thank you for  
7 that. That was a comprehensive overview of map  
8 8002. And as discussed earlier, 8004, 6 and 8  
9 share a lot of similarities but they differ in  
10 specific respects. So as we go forward, we will  
11 focus on those distinctions and not step through  
12 the entirety of what Mr. Ferrin just described for  
13 us.

14 So are there any questions? Yes, Senator  
15 Harrell.

16 SENATOR HARRELL: Thank you. One question.  
17 When we have the north/south Districts of 21 and  
18 22. Can you tell me approximately how many cities  
19 are split, because I know you have in that area in  
20 particular, everything is just about incorporated.  
21 So how many cities are split in 21 and 22?

22 MR. FERRIN: So Senator Harrell, on the census  
23 and boundary statistics page about the 12th column  
24 or so over, you have the counts of cities that  
25 are --

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1 CHAIR BRADLEY: If you can could hold that.  
2 Does everybody, does everybody have that page that  
3 page -- the second page of 8002 of the statistics  
4 for that so we can follow along? I am sorry, go  
5 ahead.

6 MR. FERRIN: Yes, so that column displays the  
7 number of cities that are kept wholly within the  
8 district, and then parts, parts is going to be a  
9 little bit more of an aggregate count. So if  
10 District 21 contained -- contains seven parts of  
11 cities, that doesn't necessarily mean that seven  
12 cities are -- are split. It means that it has  
13 unique combinations of districts and cities, there  
14 are seven of those. So you can look at that and  
15 say, well, District 21 keeps four cities whole and  
16 District 22 has 19 wholly within it.

17 SENATOR HARRELL: Follow up. So when you say  
18 that there is seven parts.

19 MR. FERRIN: Uh-huh.

20 SENATOR HARRELL: And then 14 parts. So there  
21 is are 19 kept whole and 14 have parts. Are those  
22 14 specific sections or are those 14 cities?

23 MR. FERRIN: It is going to be particular  
24 sections of those cities. So -- so if you look,  
25 flipping to the next page perhaps, we can look down

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1 the list and see that as you move down, Coconut  
2 Creek is split between Districts 20 and 21.

3 SENATOR HARRELL: Uh-huh.

4 MR. FERRIN: So there is --

5 SENATOR HARRELL: It is overlapped.

6 MR. FERRIN: So that is parts of the city, so  
7 that is seven. That -- that row says, Coconut  
8 Creek 21, District 21, that counts as part of a  
9 city that is in District 21, but that is split  
10 between Districts 20 and 21. And so if you are  
11 asking just between 20 and 22, we would run down  
12 this list and see that Delray Beach is split  
13 between Districts 21 and 22, although we have zero  
14 population from Delray Beach in District 21, and  
15 falling in District 22. There is the same  
16 geographic split where Delray may have annex  
17 something on the far side of the road, that we  
18 chose to stick on the road.

19 CHAIR BRADLEY: Additional? All right. Yes,  
20 Senator Rouson.

21 SENATOR ROUSON: Thank you. Speaking of  
22 cities being split, does this map also split the  
23 City of Tampa?

24 MR. FERRIN: Senator Rouson, I believe the  
25 City of Tampa is -- ends up getting split in all

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1 plans between Districts 14 and 15, and that is, the  
2 City of Tampa does extend from the, I believe it  
3 extends all the way from the Polk or excuse me, the  
4 Pasco, Hillsborough County line all the way down to  
5 Tampa Bay. So it is a very large kind of sprawling  
6 city, and it is split in, it is going to be split  
7 in all the plans that we are looking at today.

8 SENATOR ROUSON: And the reason for that? The  
9 Tier 2 standards that would apply.

10 MR. FERRIN: The reason for that would be that  
11 the population in the area kind of compels that,  
12 combined with the geographic features and the use  
13 of county boundaries. Keeping the City of Tampa  
14 whole would likely result in less visually  
15 appealing to say the least districts around it.

16 CHAIR BRADLEY: Okay.

17 MR. FERRIN: So if we are ready to move to  
18 plan 8004. So in the same manner pursuant to the  
19 directives that were given to staff, we drew this  
20 plan to be consistent with the plain language of  
21 the Florida Constitution, federal law and with  
22 existing judicial precedent. It also balances the  
23 co-equal criteria outlined in Tier 2 standards of  
24 Article III, Section 20, except where doing so  
25 conflicts with the Tier 1 standard. The functional

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1 analysis of each of the minority districts in the  
2 plan does confirm that it does not diminish the  
3 ability for racial and language minorities to elect  
4 candidates of their choice. And when we were  
5 drawing these districts we did so to be visually  
6 compact and to use county boundaries where it was  
7 feasible to do so. When a county was split the  
8 static geographic features, such as major roads,  
9 railroads and water bodies were used in a manner  
10 that sought to keep the cities whole where  
11 feasible. In cases where a city was split, the  
12 static geographic features were used. Where none  
13 were available or in cases where it was possible to  
14 illustrate the tradeoff between using political or  
15 geographic features, a municipal boundary may have  
16 been used. This plan has again an overall  
17 deviation of one average compactness scores of .80  
18 for convex hull .42 for polsby popper, .45 for  
19 Reock. The average use of non political or  
20 geographic boundaries matches that of the  
21 predecessor which is 11 percent. It means that 89  
22 percent of the district boundaries fall on features  
23 identified by the U.S. Census Bureau's geographic  
24 layers as city boundaries, county boundaries,  
25 interstates, U.S. highways, state roads, contiguous

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1 water bodies larger than 10 acres or railroad.  
2 This plan keeps 47 counties whole, keeps six  
3 districts wholly within a county. 352 cities with  
4 all of their boundaries contained within a single  
5 district, and 362 with all their population  
6 contained within a single district.

7 Like the benchmark plan, this plan has three  
8 affected minority districts for African-Americans,  
9 that is again, 5, 20 and 24. One district that  
10 provides African-Americans with the opportunity to  
11 elect their candidate of choice in District 10.  
12 Three minority/majority Hispanic districts in south  
13 Florida and the opportunity district in central  
14 Florida that has become a majority/minority  
15 Hispanic district. In the Panhandle, Walton County  
16 is again split between Districts 1 and 2, however,  
17 the boundary between these two districts more  
18 strictly adheres to the static geographic features  
19 that are state highway 83 north and U.S. highway  
20 331 south. Departure from these features is  
21 minimal and is required to equalize population.  
22 The tradeoff between this configuration and the one  
23 in plan 8002, is that this splits the cities of  
24 Defuniak springs and Freeport, but better adheres  
25 to the political and geographic boundaries.

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1           In the north Florida region of plan 8004,  
2           Districts 4, 5 and 6 are the same as in the  
3           previous plan. District 2 and 3 are configured to  
4           keep Alachua County whole by having District 2 get  
5           its additional population from Marion County which  
6           is also split by Districts 3 and 11. This  
7           configuration demonstrates the way keeping a county  
8           whole can result in a split in another county, and  
9           in this particular circumstance, consolidating the  
10          splits in Marion County also results in a more  
11          visually and mathematically compact District 3.

12          In this configuration the boundary between  
13          Districts 2 and 3 in Marion County primarily  
14          follows U.S. Highway 27 and state road 200. The  
15          boundary between Districts 3 and 11 is similar to  
16          the boundaries in 8002, but in this plan the city  
17          of Ocala is actually kept whole. This plan is  
18          similar to plan 8002, in that the district  
19          configurations in the I-4 corridor are the same.  
20          And it's similar to 8002, in that the district  
21          configurations in south Florida are the same,  
22          except that Districts 21 and 22 have a horizontal  
23          configuration rather than vertical. It is a little  
24          easier to see in this slide, but the horizontal  
25          configuration of these two districts allows

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1 District 21 to be kept wholly within Palm Beach  
2 County. The visual compactness of some of the  
3 mathematical compactness scores are improved, and  
4 on the whole, the scores for the use of political  
5 and geographic boundaries include -- improve  
6 slightly and generally becomes more balanced  
7 between these two districts.

8 In Palm Beach County the boundary between  
9 District 21 and 22 now follow state road 808 which  
10 is Glades Road, the Florida East Coast Railroad and  
11 U.S. Highway 1 and state road 800. That would be  
12 the changes in 8004.

13 CHAIR BRADLEY: Any questions on the changes  
14 just described in map 8004? Anybody need to take a  
15 second to digest the explanation?

16 SENATOR HARRELL: I have a follow up.

17 CHAIR BRADLEY: Yes, Senator Harrell.

18 SENATOR HARRELL: A follow up on my question  
19 on the cities that are split in those two  
20 districts. When you are going now at, you know,  
21 more horizontal as opposed to vertical. What is  
22 the split on the cities? And I noticed before West  
23 Palm Beach was split into three sections. How is  
24 West Palm split now?

25 MR. FERRIN: So Senator Harrell, in district,

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1 in plan 8004 District 21 keeps 15 cities whole and  
2 has nine parts. District 22 has eight whole and it  
3 has 10 parts. A lot of those are probably going to  
4 be split between District 20 and either 21 or 22.

5 CHAIR BRADLEY: And if I could -- I have a  
6 question with regard to the number of city splits,  
7 as we are focusing on -- for the overall statistics  
8 of map 8004. You have 352 cities that are wholly  
9 within one district. 362 with all the population  
10 in one district. So there is 10, 10 cities that  
11 were split, but as the result of the split did not  
12 put population in two different districts. So  
13 there is 60 cities split, but really only 50 of  
14 them resulted in population of an individual city  
15 being divided between the two. Is that correct?

16 MR. FERRIN: That is correct, Madam Chair.  
17 And that is something that as we were drawing maps  
18 we were kind of looking at, where in particular a  
19 city may have annexed a parcel that sometimes on  
20 the other side of an interstate or you know,  
21 another major geographic feature. What is the more  
22 prudent approach is that you follow the municipal  
23 boundary there for the sake of keeping the  
24 geographic boundaries of the city within a  
25 district, or does it make more sense to stay on the

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1 easily ascertainable and commonly understood  
2 boundary that would be the interstate or other  
3 major roadway or other geographic feature, be it a  
4 railroad or other qualifying feature to meet the  
5 Supreme Court's definition. So we've tried to take  
6 that approach, you know, as with any of these kind  
7 of projects, the more the look at it the more you  
8 notice things. So there may be some areas where  
9 you go back through and kind of review and make  
10 sure we were doing all of that consistently, but in  
11 general that was the thought process was, don't  
12 necessarily follow a municipal boundary that likely  
13 possibly may have already changed since these were  
14 locked in place in January 1st of 2020. Because as  
15 we have learned since 2016, we have seen a number  
16 of city splits added to the benchmark plan, you  
17 know, without even moving the district line.

18 CHAIR BRADLEY: Thank you. So -- so a city  
19 split doesn't necessarily mean that the population,  
20 it is just something to keep in mind as we look at  
21 a city split to refer to the data that follows the  
22 map, to look and see what the result of that split  
23 was, and you will see in certain circumstances  
24 where the total population zeros out and that would  
25 be one of the examples. Any additional questions?

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1 Senator Rouson, you are good? All right. Is  
2 everybody ready to move forward to map 8006?  
3 And -- has everybody found their maps and their  
4 spot? All right.

5 MR. FERRIN: Thank you, Madam Chair. So  
6 consistent with the directives that were given to  
7 staff, we drew this plan to be consistent with the  
8 plain language of the Florida Constitution, federal  
9 law and existing judicial precedent. It balances  
10 the co-equal criteria outlined in the Tier 2  
11 standards of Article III, Section 20 of the Florida  
12 Constitution, except where doing so conflicts with  
13 the Tier 1 standard. A functional analysis of the  
14 minority districts in the plan confirm that it does  
15 not diminish the ability for racial and language  
16 minorities to elect candidates of their choice.

17 When drawing visually compact districts,  
18 county boundaries were used where it was feasible  
19 to do so. When a county was split static  
20 geographic features, such as major roads, railroads  
21 and water bodies were used in a manner that sought  
22 to keep cities whole where feasible. Cases where a  
23 city was split, static geographic features were  
24 used. Where none were available or in cases where  
25 it was possible to illustrate the tradeoff between

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1 using political or geographic features, a municipal  
2 boundary may have been used.

3 Plan 8006 has an overall deviation of one  
4 person, average compactness scores of .80 convex  
5 hull .42 polsby popper and .45 Reock. The average  
6 use of non political or geographic boundaries in  
7 this plan is 10 percent. That means that  
8 90 percent of the district boundaries fall in  
9 features identified by the U.S. Census Bureau's  
10 geographic layers as either city boundaries, county  
11 boundaries, interstates, U.S. highways or state  
12 roads. It also includes contiguous water bodies  
13 larger than 10 acres and railroads.

14 This plan has 46 whole counties. Six  
15 districts wholly located -- wholly contained within  
16 a county. 350 cities with all their boundaries  
17 contained in a single district, 360 cities with all  
18 their population contained in a single district.  
19 Like the benchmark plan, this plan also has three  
20 affective minority districts for African-Americans,  
21 Congressional District 5, Congressional District 20  
22 and Congressional District 24. There is one  
23 district that provides African-Americans with the  
24 opportunity to elect their candidate of choice and  
25 that is District 10. Three minority/majority

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1 Hispanic districts in south Florida, and an  
2 opportunity district in central Florida that has  
3 become a majority/minority Hispanic district,  
4 Congressional District 9.

5 8006 is similar to plan 8002, in that the  
6 districts in the Panhandle are the same. It is  
7 similar to plan 8002 again in that all the  
8 districts in north Florida are the same. So this  
9 one has the Alachua and Marion split displayed  
10 there. In this plan we have different  
11 configurations in the Orlando area. This  
12 configuration slightly reduces the black voting age  
13 population and the Hispanic voting age population  
14 in Districts 10 and 9 respectively. It also  
15 increases some of the city splits in the area, but  
16 it does increase overall compactness and political  
17 and geographic boundary usage between Districts 7,  
18 9 and 10.

19 The functional analysis is conducted to  
20 confirm that both of the Tier 1 protected districts  
21 in this region are not diminished and that the  
22 Hispanic and African-American populations retain  
23 their opportunity to elect the candidates of their  
24 choice.

25 In Orange County District 7 boundary primarily  
FOR THE RECORD REPORTING, INC. 850.222.5491

1 follows I-4, U.S. highway 17, state road 50, state  
2 road 408 and state road 552.

3 District 9 remains a Hispanic opportunity  
4 district protected from diminishment under Tier 1,  
5 and as in the previous version, becomes a  
6 majority/minority district. The functional  
7 analysis confirms that Hispanics have the ability  
8 to participate in the political process and that  
9 the district does not diminish their ability to  
10 elect candidates of their choice. In Orange County  
11 District 9 boundary follows portions of Interstate  
12 4, state road 528 and state road 15. District 10  
13 is also wholly contained within the remainder of  
14 Orange County. The African-American opportunity  
15 district is protected from diminishment under Tier  
16 1. The BVAP increases slightly from the benchmark  
17 and the functional analysis confirms that the  
18 district does not deny or abridge the opportunity  
19 for African-Americans to participate in the  
20 political process. It does not diminish their  
21 ability to elect candidates of their choice.

22 In south Florida plan 8006 is very similar to  
23 8004, in that the south Florida region is the same.  
24 With the horizontal configurations there of  
25 Districts 21 and 22.

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1 CHAIR BRADLEY: Members, are there any  
2 questions on 8006, the changes made in 8006? All  
3 right. Continue on with --

4 MR. FERRIN: Thank you, Madam Chair. Plan  
5 8008 was also drawn pursuant to the directives  
6 given to staff. And it is consistent with the  
7 plain language of the Florida Constitution, federal  
8 law and existing judicial precedent. It balances  
9 the co-equal criteria outlined in Tier 2 standards  
10 of Article III, Section 20, except where doing so  
11 conflicts with Tier 1 standards. The functional  
12 analysis of the minority district in this plan  
13 confirms that they do not diminish the ability for  
14 racial and language minority districts to elect  
15 candidates of these choice.

16 When drawing visually compact districts, we  
17 used, again used the county boundaries where it was  
18 feasible to do so. When a county was split, static  
19 geographic features, such as major roads, railroads  
20 and water bodies were used in a manner that sought  
21 to keep the cities whole. In cases where a city  
22 was split, static geographic features were used.  
23 Where none were available or in cases where it was  
24 possible to illustrate the tradeoff between using a  
25 political or geographic features, a municipal

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1 boundary may have been used.

2 This plan again has a deviation of one,  
3 average compactness scores of .80 convex hull .42  
4 polsby popper, and .44 Reock. The average use of  
5 non political or geographic boundaries is 10  
6 percent, which means that 90 percent of the  
7 district boundaries fall on features identified by  
8 the U.S. Census Bureau's geographic layers as city  
9 boundaries, county boundaries, interstates, U.S.  
10 highways or state roads. It includes contiguous  
11 water bodies larger than 10 acres and railroads.

12 This plan has 47 whole counties, five  
13 districts wholly contained within a county. 351  
14 cities with all of their boundaries contained  
15 within a single district, and 362 cities with all  
16 of their population contained within a single  
17 district.

18 Like the benchmark plan, this plan has three  
19 affective minority districts for African-Americans.  
20 One district that provide -- provides  
21 African-Americans with the opportunity to elect  
22 candidates of their choice, three minority/majority  
23 Hispanic districts in south Florida, and an  
24 opportunity district in central Florida that has  
25 become a majority/minority district.

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1 Plan 8008 is similar to plan 8004, in that the  
2 Panhandle region is the same. The one that splits  
3 the cities of Defuniak strings and Freeport. It is  
4 similar to 8004 in the north central region of the  
5 state. So this is the one where the split is moved  
6 to Marion County from Alachua. It is similar to  
7 plan 8006 in the I-4 and Orlando regions. And it's  
8 similar to plan 8002 in south Florida in that  
9 the -- that region is the same with the vertically  
10 oriented Districts 21 and 22.

11 Madam Chair those would be the maps.

12 CHAIR BRADLEY: Very good, thank you for that  
13 excellent description of where we are with those  
14 maps. Senator Stewart, did you have a question?

15 SENATOR STEWART: No.

16 CHAIR BRADLEY: Discussion?

17 SENATOR STEWART: No, it is just a comment.

18 CHAIR BRADLEY: Okay.

19 SENATOR STEWART: I just -- I just wanted to  
20 say I just think you have done a terrific job in  
21 compiling four different opportunities for review.  
22 It's been out in the public for seven or eight days  
23 now. I have heard no negative feedback on any of  
24 these to date. We may hear some as more people  
25 have an opportunity to look at it, because today it

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1 was real important for you to identify the changes  
2 and the differences between the maps, and I think  
3 the public that are listening will now have a  
4 better chance of making such comments, but I think  
5 at least from where I stand right now, it is really  
6 a good plan on almost all of them. I am sure there  
7 is these little differences, but we can come up  
8 with the best one to move forward just based on  
9 what you have done here which is a great job, and I  
10 know that we will be listening to some of the  
11 public's comment on it and I am anxious to hear  
12 maybe what they might have to say, but I am very  
13 happy with the product.

14 CHAIR BRADLEY: Thank you, Senator Stewart.  
15 Senator Harrell.

16 SENATOR HARRELL: Thank you very much, Madam  
17 Chair, and I sure would like to thank you and our  
18 staff especially for the wonderful outstanding job  
19 they have done here. And I very much look forward  
20 to hearing what -- what our constituents have to  
21 say about this. I hope that they will take the  
22 time to look at them in detail, and especially in  
23 my area in the Treasure Coast and Palm Beach  
24 County, I am very much looking forward to their  
25 input. And in fact, I am going to hold a public

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1 hearing or a Zoom hearing for my constituents in  
2 that area to really present, to look in detail and  
3 give everyone the opportunity who would like to  
4 participate in that Zoom meeting following the  
5 exact instructions and thank you for in forming the  
6 exact instructions as to what they have to say when  
7 they appear so we know who they are representing,  
8 and really look before we make final decisions on  
9 which of these maps or tweaks to these maps,  
10 because we may have new ideas coming out of our  
11 constituents to hear what they have to say. So I  
12 would encourage other members to do likewise so  
13 that we have that transparency with our  
14 constituents and they the opportunity to express to  
15 us individually, as well as through the wonderful  
16 opportunity they have online to do so to really  
17 become participants in this very important process,  
18 and I thank you, I thank you so much, Madam Chair,  
19 and our staff for this amazing job they have done.

20 CHAIR BRADLEY: Thank you Chair Harrell. I  
21 mean, thank you, Senator Harrell, and it can't be  
22 said enough the job that the staff has done. After  
23 getting guidance from the full committee they went  
24 and they prepared these maps through the  
25 consultation with only counsel, followed by our

FOR THE RECORD REPORTING, INC. 850.222.5491

1 guidance and our constitutional and federal  
2 standards, and I think these maps are impressive.  
3 But again, to reiterate, these are the beginning.  
4 This is an iterative process. We are going to move  
5 through, we are going to continue to make  
6 adjustments, we are going to continue to make them  
7 better. We are going to continue to get public  
8 input.

9 So with that, let's turn to our public  
10 comments. We have with us today Cecile Scoon with  
11 the League of Women Voters of Florida. Welcome,  
12 thank you for being here. You are recognized.

13 MS. SCOON: Good afternoon. I want to say  
14 first, my name is Cecile Scoon, I am the President  
15 of the League of Women Voters of Florida, and I  
16 want to say thank you for getting the maps out  
17 early. That was an unexpected benefit that we  
18 appreciate.

19 Some of the things that I feel like we are  
20 still needing is more of the data analysis on the  
21 precinct level so that we can look at all the  
22 minority access districts and the majority/minority  
23 districts. Another concern that we have is, I  
24 think it was stated several times and looked over  
25 some of the meeting hearing tapes just to make

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1       sure, that the functional analysis was essentially  
2       done only on the benchmark in the past, which I  
3       think is a good start, but given the flow of  
4       population throughout the state and the voting that  
5       we know has occurred in different places on the  
6       state you can just look and see.

7               Limiting the functional analysis only to the  
8       benchmark does not take into account the change in  
9       the population. Because of course, the benchmark,  
10      I mean, the functional analysis is to protect Tier  
11      1 which are mandatory. So when you go in with the  
12      process of initially focusing on Tier 2, you know,  
13      let's make sure what we would like to get and you  
14      went in focusing on Tier 2, you are almost  
15      obligated to make every district to do a functional  
16      analysis on the things that are mandatory, because  
17      you went in on the things that we would like to  
18      have, population, close compactness, follow  
19      geography, follow jurisdiction and that makes  
20      sense, but to really be logical, because there is  
21      flow with the population, you really need to do the  
22      functional analysis on all of the districts,  
23      because you are going in on the Tier 2 which are  
24      lower.

25              So that makes sense again, but to comply with  
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1 the, with our fair district's constitution, which  
2 requires you to know there has been no diminishment  
3 of the voting rights of racial minorities or  
4 language minorities, you are almost obligated to do  
5 a functional analysis on all of the districts,  
6 because you went in on the level two. That was  
7 your starting point, your goal. So you have to  
8 test the level two against the mandatory, which of  
9 course our fair districts mirror the Voting Rights  
10 Act. So if you follow pretty much our Tier 1 where  
11 it has a close correlation with the Voting Rights  
12 Act.

13 So I would ask you to do that functional  
14 analysis on all of the districts, because of the  
15 flow and the change. In other words, if you are  
16 looking only at the benchmarks, the benchmarks were  
17 created with census data from 2010. So if you are  
18 looking only to do your functional analysis on  
19 information that was based in 2010, well, we know,  
20 there has been a big change in 10 years. And so  
21 you are going to miss. So I would ask that you  
22 consider that, and we would also like to get the  
23 precinct level data so that we can test ourselves  
24 what is going on on the precinct level, and I  
25 believe that is information that was contained in

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1 the FSU report that was sent for the Senate and  
2 their representatives. And I thank you very much  
3 for this opportunity.

4 CHAIR BRADLEY: Thank you, thank you for being  
5 here. Next is -- yes.

6 SENATOR ROUSON: We are in public comment. I  
7 think Ms. Scoon raises a good point and I like to  
8 know if staff has addressed that.

9 CHAIR BRADLEY: Which portion of the comment?

10 SENATOR ROUSON: About the functional analysis  
11 being done on all of the districts as opposed to --

12 CHAIR BRADLEY: Okay. Hold on. Let me --

13 MR. FERRIN: Senator Rouson. In drawing the  
14 minority districts in the plans, it is not a  
15 question of just drawing them where they used to  
16 be. So we look at the population growth across the  
17 state and we look at the areas, and we can view  
18 those areas based on the density of minority  
19 population and review those to determine where we  
20 ought to be looking at drawing either minority  
21 opportunities, minority, affected minority  
22 districts or majority/minority districts based on  
23 the density of population and the geography. So I  
24 am not real sure that running a functional analysis  
25 on the whole plan is required to do that.

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1           We will have to think about that and maybe  
2           talk about it a little bit, but I don't necessarily  
3           know that the population growth across the state  
4           compels us to do that.

5           SENATOR STEWART: And I would like to know,  
6           are we allowed to go to precinct level, is that  
7           allowed?

8           MR. FERRIN: Senator Stewart, the precinct  
9           level data is not, once the precinct level data is  
10          affiliated with the census block, so once the  
11          elections data is in the census block form, there  
12          is no real purpose to go back into the precinct  
13          level that I am aware of. We are drawing on census  
14          blocks, not precincts.

15          SENATOR STEWART: So is it legal or not legal  
16          to look at the precinct?

17          MR. FERRIN: I am not sure of the legality of  
18          whether or not is to look at the precinct. It's,  
19          we are constructing districts. So we have got the  
20          census block geography, census geography that we  
21          use to build districts. The precinct level  
22          information is correlated directly to elections.  
23          And so we are not using precinct to build our data,  
24          our maps.

25          SENATOR STEWART: Thank you.

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1 CHAIR BRADLEY: All right, next up is Nicholas  
2 Warren.

3 MR. WARREN: Thank you, Senator Bradley. Good  
4 afternoon, Senators. I want to he echo the  
5 comments that have already been made and applaud  
6 director Ferrin for his work. I think the maps  
7 themselves, that they were drawn in compliance with  
8 the Constitutional criteria.

9 I do have a few comments. First of all I want  
10 to mention just because of something I know, is a  
11 conversation about splitting cities, but a portion  
12 of that city not having any population in a  
13 district. The Supreme Court actually commented on  
14 that in its last redistricting decision in footnote  
15 14 and said that you can ignore splits -- but don't  
16 include any population. So it is already something  
17 y'all are doing, but it has the Supreme Court's  
18 stamp of approval.

19 And I also wanted to mention that I have  
20 submitted four Congressional maps, portions of maps  
21 that rift off of the drafts released last week.  
22 Unfortunately, I don't think they have been posted  
23 to the website yet, but hopefully will be soon.  
24 You can take a look at those. They, each kind of  
25 focus on a different area and seek to come into

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1 further compliance with the Tier 2 requirements.  
2 So principally for example, the first, the first  
3 draft I do have printouts if y'all are interested  
4 in looking. I am not going to force you to rifle  
5 through them now, but the first draft looks at  
6 Congressional District 2 what I was in Tallahassee  
7 and seeks to kind of snap the eastern boundary to  
8 county lines and keeps, thereby keeps Alachua and  
9 Marion, make sure that cities who doesn't have a  
10 portion of either of those counties in that draft.  
11 It also results in a more compact smooth line in  
12 St. Johns County between 4 and 6 which is a little  
13 bit irregular now, and also seeks to keep Sumter  
14 County whole. I know it is only about 300 people  
15 that are in CD 28, the draft.

16 I think the Sumter County Supervisor might  
17 appreciate not having to re-precinct and deal with  
18 having that few people in a different Congressional  
19 district, as well as a few other changes that keep  
20 cities together, follows boundaries. That is the  
21 first draft.

22 The second draft, and I promise I will be  
23 quick, starts with that, those changes in north  
24 central Florida, and additionally tries to keep  
25 Volusia County whole, and snap the southern

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1 boundary of CD 6 to the St. Johns River and Lake  
2 Monroe, which is not only a county boundary, but  
3 also a major geographic feature of course, the  
4 longest river in the state. And as a result, that  
5 pushes CD 9 into Polk County a little bit in the  
6 area where the county lines is straight lines that  
7 subdivide subdivisions and no one probably really  
8 knows where the county line is, and that results in  
9 an ultimate improvement in compactness between the  
10 CD 11 and 28 boundaries in Lake County.

11 The third map focuses solely on CD 20 in Palm  
12 Beach County which of course in all the drafts has  
13 this long appendage that runs down to Boynton  
14 Beach, splitting several cities. Obviously that  
15 was drawn to preserve black ability to elect in CD  
16 20, which of course is a Tier 1 requirement. I  
17 believe that a draft that I have drawn accommodates  
18 both the Tier 1 requirements and eliminates that  
19 appendage, which results in maybe eight or nine  
20 different cities being kept whole, and improves  
21 compactness in that region.

22 And then finally, my last submission takes a  
23 look at south Florida. Actually, it is funny that  
24 Senator Stewart mentioned the Everglades, because  
25 that is, regardless of where it is, I think it is a  
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1 pretty big geographic boundary that also kind of  
2 coincides with county lines, and actually the  
3 Second Judicial Circuit and the Senate in the 2015  
4 remedial process with the opportunity to eliminate  
5 a kind of cross peninsula district that crossed the  
6 Everglades, and the Senate drafts and try to  
7 maintain that line. So it is a pretty significant  
8 boundary. And that last draft, the last map that I  
9 submitted seeks to recognize that boundary and put  
10 compactness in the region, makes CD 25 compact,  
11 makes CD 19 compact where it has that tail going  
12 down to Naples and Marco Island now. And yes,  
13 those are my submissions. I hope you can take a  
14 look at them once they are posted to the site.

15 I would being happy to answer any questions  
16 now or off line. My phone number is definitely in  
17 the submission forms. Also the detailed  
18 explanation of all these changes and kind of a  
19 defense of them are included in the submission form  
20 that I submitted. Thanks.

21 CHAIR BRADLEY: Thank you for your engagement  
22 and we will look at the maps, thank you.

23 MR. WARREN: Thank you.

24 CHAIR BRADLEY: Those are the only appearance  
25 forms we have. Any additional comments from

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1 Senators before we -- before we adjourn? Senator  
2 Rouson.

3 SENATOR ROUSON: Yes, thank you. I just  
4 wanted to join the bandwagon and thank staff for  
5 the work that they have done and also thank you for  
6 meeting with my staff ahead of time to answer some  
7 questions that we had. Thank you.

8 CHAIR BRADLEY: Very good. Members, we have  
9 come extraordinarily far in what has been an  
10 extremely condensed amount of time. I believe we  
11 are on the right track for success. We have two  
12 weeks until our next meeting, and I would propose  
13 that we have staff consider the feedback and  
14 guidance we have given them here today and ask them  
15 to consider it through the lens of the overall  
16 directives, as well as all applicable federal and  
17 state legal standards. I would also propose that  
18 staff spend time looking for improvements and  
19 consistency in the application with the various  
20 tradeoffs presented in the maps.

21 If no other business before the committee,  
22 Senator Harrell moves we adjourn. Without  
23 objection, we are adjourned.

24 (Whereupon, the meeting was concluded.)  
25

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C E R T I F I C A T E

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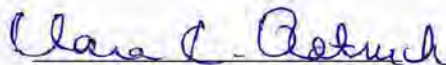
COUNTY OF LEON )

I hereby certify that the foregoing transcript is of a tape-recording taken down by the undersigned, and the contents thereof were reduced to typewriting under my direction;

That the foregoing pages 02 through 64 represent a true, correct, and complete transcript of the tape-recording;

And I further certify that I am not of kin or counsel to the parties in the case; am not in the regular employ of counsel for any of said parties; nor am I in anywise interested in the result of said case.

Dated this 4th day of February, 2022.



CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2022

Commission NO.: GG 272880

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