

**Florida House Session
February 1, 2022**

Transcript of excerpt of video recording available at:
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1 [00:18:07]

2 The Speaker: Read the next bill.

3 Clerk: By Reapportionment and Senator Rodrigues, CS for Senate Joint Resolution 100, a
4 Joint Resolution of Apportionment.

5 The Speaker: Alright members, allow me to have your attention for a moment. I wanna
6 talk a little bit about the redistricting bill that we're about to take up, which CS for SJR 100, the
7 vehicle that'll be for the State House and the State Senate maps. In a moment, Chairman Leek
8 will be recognized to explain the Senate joint resolution, specifically the Senate map that was
9 already passed by the Florida Senate. You will then be able to ask questions about the Senate
10 map, with the understanding, members, that the Senate map was created by the Florida Senate at
11 their direction, just as the House maps were create by the Florida House at our direction. As we
12 do with other bills, we will then take up the amendments. Chair Leek will be recognized to
13 explain his amendment, which will be the House map. After the explanation of the amendment,
14 you'll be able to ask questions specifically on the House map. To be sure you get all your
15 questions answered, there is a staffer that is set up in the bubble that can ask any technical
16 questions that you might have as we go through this process and things come up. If you have a
17 question of law about the maps, a question of substance, you ask that question appropriately on
18 the House floor. The bill as amended will be voted on tomorrow. So the allotted time for debate
19 will occur tomorrow on the bill as amended. Both explanations will include PowerPoint
20 presentations and materials that have been emailed to you today in the daily order of business
21 from the Rules Committee. Let's get started. Chairman Leek, you're recognized to explain the
22 bill.

23 Tom Leek: Thank you Mr. Speaker. We're going to take up the Senate plan. The first

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1 map we're considering today is the State Senate map, which is the main substance of this SJR.
2 The map on the screen before you is a State Senate map, S027S8058. It has been the long-
3 standing tradition between the chambers that the House is responsible for crafting the House map
4 and the Senate is responsible for crafting the Senate map. Today we will be amending the SJR,
5 which contains the proposed Senate map, by adding the substance of CS HJR 7501, which
6 contains a proposed State House map, leaving us with a complete joint resolution containing the
7 new proposed state legislative districts as prescribed by the Florida Constitution. This proposed
8 State Senate map passed out the Senate with bipartisan support and I encourage your support
9 today as well. Mr. Speaker that is the SJR.

10 The Speaker: Other questions? Other questions? Seeing none – gotta be a little quicker.
11 Representative Driskell, you're recognized.

12 Fentrice Driskell: Thank you Mr. Speaker. Just some questions about the Senate map. We
13 saw that District 36 and 37 both have Reock scores of .28 and .29, respectively. Was the reason
14 why they have those Reock scores to achieve Tier One compliance?

15 The Speaker: Chairman Leek, you're recognized.

16 Tom Leek: Thank you Representative. Again, this is the map prepared by the Senate.
17 Those questions were more appropriately directed to the Senate by your colleagues in the Senate,
18 through the Senate process. I can't answer the type of questions on the detail of the Senate map. I
19 can give you the statistical data, which is in the packet that you have.

20 The Speaker: Representative Driskell.

21 Fentrice Driskell: Mr. Chair, I guess maybe point of order, is it appropriate for us to ask
22 questions about details of the Senate map? I'd hate to go through a bunch of questions without
23 Chair Leek being able to answer them.

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1 The Speaker: Representative Driskell. Okay members, we got some big business in front
2 of us today that we do once a decade. There's gonna be lots of moving parts to this today. When
3 we start explaining the House map, we're gonna have a round robin where it's gonna be
4 bouncing back and forth between different members who are explaining the maps. I understand
5 there's a lot going on. I know members wanna have their bills heard and they're using this time
6 as an opportunity to talk to people on the floor. I just ask that if you're gonna do that, you can
7 take your conversation to the bubble, you can take your conversation to the back, but while we're
8 on the House floor, I ask that you give either the individuals who are asking the questions or the
9 people who are presenting the maps today your full attention.

10 Representative Driskell, as I mentioned in the roadmap today, as you know the Senate
11 map – the Senate has taken full responsibility of crafting the Senate map. Obviously, a lot of
12 those technicalities as far as the intent on why maps are drawn and things like that Chairman
13 Leek couldn't possibly answer that question because he wasn't part of that process, nor was any
14 member of the committee. While there are some technical questions and demographic data that
15 would be appropriate questions for the House floor today, it is also inside the packet in the
16 presentation that you have. So you could ask that. You could look it up. I do think that certainly
17 from the more technical aspects and the intent on why things are drawn, it is appropriate to ask
18 those questions about the House map. Representative Driskell, do you have a follow-up
19 question? Okay. Representative Geller, you're recognized.

20 Joe Geller: Thank you Mr. Speaker. I do have a couple questions. I'm sensitive to what
21 you just said Mr. Speaker, so I hope the questions are appropriate. I trust that you will tell me if
22 you deem that they are not. But first, was there ever a vote of any kind by this House that we
23 would accept whatever Senate map the Senate sent us over?

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1 The Speaker: Representative Geller, I think you know the answer to that question. It's not
2 really appropriate to the maps. Additional questions?

3 The Speaker: You're recognized.

4 Joe Geller: Thank you Mr. Speaker. What assurance do we have that the Senate map is
5 constitutional?

6 The Speaker: Chairman Leek, you're recognized.

7 Tom Leek: Thank you Mr. Speaker. If I were you, I would take a lot of solace in the fact
8 that many of your own colleagues from your own party voted for it.

9 The Speaker: Representative Jenne, you're recognized. Leader Jenne.

10 Evan Jenne: Thank you Mr. Speaker and this is just I guess a technical question, not on
11 the maps, but where was the idea conceived to merge these two bills together because as I
12 remember it a decade ago, they stood on their own. I remember that because I ran an amendment
13 on the Senate map and it was a standalone bill. So I guess the question is why were these put
14 together and who made that decision?

15 The Speaker: Chairman Leek, you're recognized.

16 Tom Leek: Let me see what I can do with that. It has been the longstanding tradition of
17 the two Houses that they do that except under extraordinary conditions. I wasn't here back then. I
18 know that you were Leader Jenne, but I wasn't back then so I can't tell you why they made the
19 extraordinary decision to split them apart at that point, but I can tell you what we're doing today
20 is the usual and customary thing that we do.

21 The Speaker: Additional questions? Additional questions on the Senate maps? Alright,
22 seeing none, are there amendments?

23 Clerk: On the desk Mr. Speaker.

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1 The Speaker: Read the first amendment.

2 Clerk: Representative Leek offered the following amendment with title amendment,
3 barcode 503145, between lines 67 and 68 insert an amendment.

4 The Speaker: Chairman Leek, you're recognized to explain the amendment and then
5 recognize the individual members that you'd like to begin with to start the conversation about the
6 map. You're recognized.

7 Tom Leek: Thank you Mr. Speaker. Members, the Florida Legislature has a
8 constitutional responsibility once every ten years following the decennial census to redistrict our
9 state. A decade ago, the Florida House maps were deemed valid and constitutional by the Florida
10 Supreme Court, and I'd like to read a quote from the 2012 ruling. A review of the House plan
11 and the record reveals that the House engaged in a consistent and reasoned approach, balancing
12 the Tier Two standards by endeavoring to make districts compact in as nearly equal in
13 population as possible and utilizing political and geographical boundaries where feasible by
14 endeavoring to keep counties and cities together where possible. In addition, the House
15 approached the minority voting protection provision by properly undertaking a functional
16 analysis of voting strength of minority districts.

17 The Redistricting Committee and its subcommittees have undertaken several months of
18 education in order to understand the redistricting process and uphold the high bar that was set for
19 this chamber last decade. Last week the full redistricting committee passed CS HJR 7501 that
20 proposed State House districts that will be used in election cycles starting in 2022. This map has
21 been drafted with the advice of legal counsel based on data from the 2020 census and elections
22 data from the Florida Department of State to be in alignment with the Florida Constitution, state
23 and federal law, as well as court precedent. This map can also be found on

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1 FloridaRedistricting.gov under the plan name H000H8013.

2 Members, I want to make sure each of you has a map packet in front of you. This
3 contains a printout of the proposed map itself, functional analysis data, the statewide statistics.
4 Additionally, the bill text for the SJR and amendment is over 430 pages. We provided a copy for
5 the entire chamber and it can be found here in front of the chamber. For today, our goal is to
6 answer all member questions. For those who have detailed technical questions, we have one of
7 our redistricting analysts set up in the bubble with our map drawing application to assist in
8 answering those specific questions.

9 Before we dive into each region of the state, let's look at the map as a whole. When
10 compared to the benchmark State House map, the new proposed State House districts have
11 several points of improvement throughout our Tier Two standards. When looking at a statewide
12 average of each district's compactness scores, we have been able to improve all three
13 mathematical measurements of compactness. The Reock score improved from .43 to .45. The
14 Convex Hull score improved from .80 to .82. The Polsby-Popper score improved from .43 to .45.
15 Where feasible, we also worked to improve visual compactness of districts or the eyeball test,
16 such as no longer having a district that stretches from Miami-Dade County to Collier County, or
17 a district that splits four counties in the Tampa Bay region. When looking at the number of
18 counties split, we've kept similar to the benchmark map with 30 counties split last decade and
19 only 31 counties split this decade. The ideal population for this decade's State House district is
20 179,485 people. Our overall deviation range is from 4.75%, which is well within the acceptable
21 legal level of population deviation. Although this deviation increases slightly from last decade's
22 range of 3.97%, we are proudly able to vastly improve the number of cities split in our proposed
23 map. In the benchmark map, there were 101 cities split, which is almost 25% of Florida's

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1 incorporated cities. And in the proposed map before you today, we've been able to decrease that
2 to 53 cities split, a near 50% improvement.

3 Our proposed State House districts are also drawn in compliance with Tier One of the
4 Florida Constitution. The proposed map is inclusive of 18 protected Black districts, seven of
5 which are majority-minority districts, and 12 protected Hispanic districts, all of which are
6 majority-minority districts. This is the same number of protected districts as are found in the
7 benchmark map. In each district, the minority group's voting-age population are similar when
8 compared to benchmark districts, with slight increases or decreases as permitted by the Florida
9 Supreme Court precedent, which states, slight changes in a minority group's voting-age
10 population are acceptable so long as a functional analysis is conducted to ensure the voting
11 strength of the minority group in both general and primary election is at the comparable level
12 that existed in the benchmark district. These districts are also drawn in a consistent manner with
13 respect to the Florida Supreme Court precedent, and to maintain existing majority-minority
14 districts. All 30 of these protected minority districts have had an individual functional analysis
15 conducted on them to ensure the new district configurations do not deny or abridge the equal
16 opportunity of racial or language minorities to participate in the political process or to diminish
17 their ability to elect representatives of their choice. As we move throughout the map, these
18 districts will be highlighted as well.

19 All of our districts consist of contiguous territory and as I'm sure you're aware, the
20 committee has also implemented safeguards in order to ensure that we do not draw districts with
21 the intent to favor or disfavor a political party or an incumbent. Now that we've looked at the
22 statewide overview, let's begin to review each region of the State. Mr. Speaker I ask that you
23 recognize Chairman Cord Byrd.

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1 The Speaker: Thank you Chairman Leek. Before I recognize Representative Byrd, just to
2 clarify members because there was question. We're gonna do the round robin explanations
3 through a number of members. After that is concluded, the clock will begin again and we will
4 open up for questions at the request of the minority party. We'll direct those questions through
5 Representative Alexander for efficiency and time. Representative Byrd, you're recognized.

6 Cord Byrd: Thank you, Mr. Speaker and members, we begin our journey across the state
7 starting in Northwest Florida with Districts 1 through 4. Four districts are able to be kept whole
8 within three counties, Escambia, Santa Rosa, and Okaloosa. All municipalities are kept whole in
9 these counties, including Pensacola, which serves as a boundary line for a portion of Districts 1
10 and 2. District 4 is able to be kept wholly within Okaloosa County using the county line on three
11 sides and then has a bump on the top of the district similar to the current district in order to keep
12 the city of Crestview wholly within the district, and then uses I-10 for the remainder of its
13 northern border. As we follow these Tier Two-compliant borders for this district, it becomes
14 4,252 people over the ideal population of a district at 183,737 total populations, 2.37% over the
15 ideal population. As a result, this becomes a district with the highest overall population deviation
16 in the map.

17 Moving along the Panhandle to Districts 7 through – let's see I think I missed one – okay
18 I missed one. Districts 5 and 6 are made up of entirely whole counties. District 5 is comprised of
19 Walton, Holmes, Washington, Jackson, and Calhoun County. District 6 is solely within Bay
20 County. In order to keep a district only as Bay County without having to break another county
21 line, this district becomes a district with the lowest population deviation in the map, at -4,269
22 people under the ideal population at 175,216 total population, which is 2.38% under the ideal
23 population. Districts 4 and 6 create a total deviation range of 4.75%, well within the acceptable

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1 10% deviation range courts have given legislative redistricting plans. This range allows Bay
2 County to remain whole and the city of Crestview to remain whole. As the House did last decade
3 and acknowledged by the Supreme Court, setting the deviation range by balancing the equal
4 population standards with the other standards such as compactness and following existing
5 political and geographical boundaries is appropriate.

6 We'll now move along the Panhandle to House Districts 7 and 9. There are three districts
7 wholly within 13 counties. District 8 includes all of Gadsden County, which is the only majority-
8 Black county in the state, and parts of Leon County. District 8 is a performing majority-minority
9 Black district protected by Tier One of the Florida Constitution and as mentioned earlier, the
10 functional analysis that was conducted by staff ensures the minority group's ability to elect is not
11 diminished. Due to the boundaries of District 8, Tallahassee is split in a similar way to the
12 benchmark map by being split into two districts. To achieve this, unfortunately it means splitting
13 Jefferson County. This is due in large part because Jefferson County's boundaries go from the
14 state line to the Gulf of Mexico, cutting off the rest of the Panhandle from the Big Bend. In
15 addition, nearly 90% of Jefferson County's population is in the section within District 9 and the
16 split through the county is entirely along U.S. Highway 27. This decision to split Jefferson
17 County is consistent with the methodology and application of the constitutional standards as
18 you'll see throughout the map as other cities in similar situations with a protected Tier One
19 district are also split only twice. District 7 is made of nine whole counties in this county
20 combination, as well as a small part of Leon County that is not in Districts 8 or 9. District 9
21 contains all of Madison County in addition to the part of Jefferson County previously mentioned,
22 as well as approximately 150,000 people in Leon County.

23 We'll next move over to Northeast Florida, to House Districts 12 through 17, where there

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1 are six districts wholly within the two counties of Nassau and Duval. District 13 and 14 are
2 performing Black districts located entirely within Duval County, recreated similarly to the
3 benchmark districts. However, both districts were able to be drawn in a more compact manner.
4 As noted before, the functional analysis on each district that was conducted by staff ensures the
5 minority group's ability to elect is not diminished. All the districts in this county combination
6 have improved in terms of visual compactness and use of major roadways and waterways. The I-
7 295 loop, St. Johns River, and Beach Boulevard are some examples of the boundaries uses in this
8 area to create District 16. District 17 uses the county line and shares a boundary on Beach
9 Boulevard with District 16 and 14. Unlike the benchmark map, no district uses the sharp angle of
10 the Nassau-Duval County line, which helps improve the compactness of District 15. District 12
11 in the southern part of Duval County primarily follows the St. Johns and Ortega River along with
12 the Florida East Coast Railway. Mr. Speaker, that is District 1 through 17.

13 The Speaker: Chairman Leek, you're recognized.

14 Tom Leek: Thank you Mr. Speaker. Thank you Representative Byrd. I'd ask you Mr.
15 Speaker to recognize Representative Fine to present the next region.

16 The Speaker: Representative Fine, you're recognized.

17 Randy Fine: Thank you Mr. Speaker and thank you Mr. Chairman for allowing me to
18 present. We're gonna do three sections. We're gonna start with HD 10 and 21 through 24, which
19 is in North-Central Florida. This includes those five districts and you can see that every county is
20 kept whole in that area except Alachua and Marion. These are both too big to be kept wholly
21 within a House district, in addition to having a Tier One protected district that crosses between
22 them with District 21. District 21 is a performing Black district that was mentioned earlier where
23 the functional analysis ensures that minority group's ability to elect is not diminished. Every city

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1 in Alachua County is kept wholly within a district except Gainesville, where Districts 21 and 22
2 contain 100% of the city's population, and every city in Marion County is kept whole except
3 Ocala, which is divided between Districts 21 and 24. Both of these cities are split between just
4 two districts, similar to the decision to keep Tallahassee in just two districts in an effort to
5 consistently apply our constitutional standards. Districts 10, 22, and 23 each contain at least one
6 whole county and then cross into just one other county for the remainder of their population.
7 Districts 10 and 22 cross into Alachua County and District 23 crosses into Marion County.
8 District 24 is kept wholly within Marion County the city of Ocala is split between it and the
9 protected District 21.

10 We're now gonna move onto northeastern Florida and the proposed House Districts 11,
11 18 through 20, and 25 through 30 in Clay, St. Johns, Putnam, and Flagler Counties. Collectively,
12 the mathematical compactness of this region improved compared to the benchmark. District 11 is
13 wholly within Clay County and District 18 is wholly within St. Johns County. The remaining
14 part of St. Johns County is split into two districts rather than just one in order to avoid having to
15 split either Putnam or Flagler County, but every municipality in St. Johns County is kept whole,
16 including St. Augustine in proposed District 19.

17 As we move down toward Central Florida, Districts 25 and 26 are both wholly located in
18 Lake County and the only municipality in the county that is split is Leesburg, which is split
19 between these two districts. Every other Lake County municipality is wholly located within one
20 of the districts contained within Lake County. Out towards the eastern coast, there are two
21 districts wholly within Volusia County, Districts 28 and 29. Every municipality in Volusia
22 County is kept whole except Daytona Beach Shores, whose municipal boundaries are interlocked
23 with the city of Port Orange. In the benchmark map, five cities in Volusia County are split, so

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1 this is an overall improvement for this county.

2 Then finally moving into Districts 31 through 34 on the Space and Treasure Coasts,
3 Indian River County is kept whole in District 34 and three other districts, 31, 32, and 33, are kept
4 wholly within Brevard County, keeping as many municipalities within Brevard County whole as
5 feasible. These four districts are similar to the shape of the benchmark, but after it was made to
6 choose boundary lines that are more recognizable rather than census block lines that sometimes
7 travel through certain areas, particularly the barrier island areas that do not follow recognizable
8 geographic features, but may provide a slightly better compactness score. For example, the
9 boundary between Districts 32 and 33 is a major road, State Road 192, or municipal lines almost
10 the entire way across the county, and the boundary between Districts 31 and 32 is made up of
11 waterways, the municipal lines of Rockledge and Satellite Beach, as well as the Pineda
12 Causeway for its entire length. And that is these districts.

13 The Speaker: Thank you Representative Fine. Members just a quick – take a brief break
14 in the action for a moment. For the many redistricting scholars that are watching at home
15 anxiously our business here today, Leader Jenne and I had a conversation about something
16 earlier. I just wanna clarify that in 2012, CS for SJR 1176 was positioned just like the bill we're
17 doing today. So the bill came over from the Senate, the Senate map, we put the House map back
18 on and then sent that back to the Florida Senate. So, we are in the same posture today that we
19 were in 2012. With that, Chairman Leek, you're recognized.

20 Tom Leek: Thank you Mr. Speaker and thank you Representative Fine. Mr. Speaker I
21 would ask you to recognize Representative Sirois to present the next region.

22 The Speaker: Representative Sirois, you're recognized.

23 Tyler Sirois: Thank you, good afternoon Mr. Speaker and thank you Chair Leek.

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Members, the Central Florida region is an area of the state along the I-4 Corridor that experienced a lot of population growth over the last decade. The combination of Orange, Osceola, and Seminole Counties are able to fit 13 districts entirely within this three-county combination. Five districts are kept wholly within Orange County, two within Seminole County, and one within Osceola County. Districts 40 and 41 are performing Black districts located entirely within Orange County and Districts 43 and 46 are performing majority-minority Hispanic districts. District 43 is located entirely within Orange County and District 46 entirely within Osceola County. As noted before, the functional analysis on each district that was conducted by staff ensures the minority group's ability to elect is not diminished. District 47 is a new performing majority-Hispanic district located mostly within Osceola County as well as part of Orange County, while keeping the city of St. Cloud whole. This district was drawn as a Tier Two-compliant district that happens to be a new performing majority-minority district that is consistent with Hispanic population growth over the last decade. A functional analysis, as has been previously described, ensures Tier One compliance. District 44 has a significant Hispanic voting-age population of just over 43%, that although it does not perform now, it may in the future. This is a significant Hispanic voting-age population within the district that may have some influence in the electoral performance of the district. Throughout this county combination, as many major recognizable roadways are used as possible, while also keeping cities whole that were previously split the benchmark, such as Apopka for example. Only one municipality is split in Seminole County, Winter Springs, and as previously said, St. Cloud in Osceola County is kept whole.

Now let's take a look at Polk County. Similar to Bay County this decade where that county was kept whole in a single district based on population figures, Polk County was

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1 identified as a possible county where four districts could be kept entirely within it without any
2 other district crossing county lines. This is accomplished in this map. This is considerably
3 different than the benchmark where Polk County had two districts and parts of three other
4 districts that crossed into neighboring counties. Our two workshop options highlighted two
5 distinct alternatives to drawing these four districts within the county, keeping every municipality
6 whole versus much more visually and mathematically compact district options. With the current
7 purposed configuration, you see before us today those two concepts have been merged together
8 as much as possible so that each of the four districts have good visual and mathematical
9 compactness while also being able to keep every city within Polk County wholly within a
10 district.

11 As we look at the region that includes Sumter, Hernando, and Pasco Counties, there is
12 enough population to form five districts within these three counties. District 52 follows the
13 Sumter County border for a large portion of its shape, allowing Sumter County to remain whole,
14 and then continues to use Sumter County boundary as it travels west to include its remaining
15 population. Within Hernando County, the district uses the Suncoast Parkway and a small part of
16 US 98 for the entire western boundary. When you look at the data packet, District 52 has a
17 boundary analysis score of 0% for non-political or geographic boundaries. Another way to say
18 that, 100% of its boundaries fall into one of the recognized categories for boundary usage. This is
19 the only district other than three districts in the map that are made up of only whole counties,
20 which are Districts 5, 6 and 83, to have a boundary analysis score of 100%. Members, three
21 districts, 54, 55, and 56, are entirely within Pasco County, using primarily major recognizable
22 roadways such as Little Road, I-75, and Old Pasco Road. This is similar to the current map, but
23 because of population growth, a fourth district now must include part of Pasco County as well.

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1 District 53 is the only district in this region to cross county lines but is the most compactly
2 shaped district, with the highest compactness score of all these districts, while following as many
3 major roads as possible.

4 The Speaker: Before we go back to Chairman Leek, Representative Rizo, you're
5 recognized for a recognition.

6 [Recognition]

7 The Speaker: Representative Leek, you're recognized.

8 Tom Leek: Thank you Mr. Speaker. Thank you Representative Sirois. Mr. Speaker I ask
9 you to recognize Representative Robinson to present the next region.

10 The Speaker: Representative Robinson, you're recognized.

11 Will Robinson: Thank you Mr. Speaker. Moving to the Tampa Bay region, let's review
12 Districts 57 through 72. This decade, 16 districts were able to be kept in the three-county
13 combination of Pinellas, Hillsborough, and Manatee County. Five districts were kept wholly in
14 Pinellas, seven districts wholly in Hillsborough, and two districts wholly in Manatee County.
15 Only two districts contained population in more than one county, District 62 between Pinellas
16 and Hillsborough, and District 70 between Hillsborough and Manatee.

17 District 62 and 63 are performing Black districts. District 62 is located in a part of
18 Pinellas and Hillsborough County and District 63 is entirely within Hillsborough County. As
19 noted before, the functional analysis on each district that was conducted by staff ensures the
20 minority group's ability to elect is not diminished. The benchmark District 62 also included part
21 of two other counties, crossing into four counties in total. This proposed configuration is an
22 important – I'm sorry, is an improvement in visual and mathematical compactness to the
23 benchmark district. It also vastly improves its boundary analysis, going from 30% of its borders

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1 following a non-political or a geographical boundary to just 9% in the proposed map.

2 District 61 contains the unpopulated water blocks that make up the tail of Hillsborough
3 County. By including this area in District 61, the visual and mathematical compactness of
4 multiple districts is improved. Although this does technically bring District 61 into Hillsborough
5 County, the Florida Supreme Court has recognized that splits of cities or counties that contain
6 zero population do not count as another split of that unit of geography. District 64 is another
7 example of a district that primarily uses major recognizable roadways in the area, and in this case
8 the Gunn Highway, Sheldon Road, Hillsborough Avenue, and Veterans Expressway. This
9 creates a compact district that shares a boundary with the protected Black district; that also
10 happens to be a majority-minority Hispanic district in Hillsborough County. More municipalities
11 are kept whole in Pinellas County compared to the benchmark, including the city of Clearwater
12 for example. All the remaining districts in Hillsborough and Manatee Counties primarily use
13 major roadways, railways, or rivers whenever possible to create recognizable boundaries for all
14 districts in addition to keeping Plant City, Palmetto, and Bradenton whole.

15 Moving into Southwest Florida, we have District 73 through 83. This is another example
16 where we were able to improve the overall compactness of a region when compared to the
17 current map, while also keeping three districts wholly within Lee County, two wholly within
18 Sarasota County, and another wholly within Collier County. Six other counties were kept wholly
19 within a district. District 83 is made up of four counties, of those whole counties in Hardee,
20 Highlands, Okeechobee, and Glades Counties. Charlotte County, which like Bay County this
21 decade was its own State House district in the benchmark map, but with growth over the decade,
22 the county outgrew the size of a House district and so the county must be split. Even though the
23 county is split, dividing the county like you see in this configuration between Districts 75 and 76

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1 resulted in helping the compactness of the entire region, and that was part of the key to keeping
2 other districts wholly within Sarasota and Lee Counties, respectively.

3 In continuing the consistent approach to keeping districts wholly within geographic
4 regions when feasible, the proposed District 79 is almost entirely within Cape Coral city limits,
5 with 99% of the proposed district's population in the city of Cape Coral. Fort Myers, Naples, and
6 Sarasota, among other municipalities, are kept whole in the region, but North Port and Venice
7 are split due to creating equal population. Longboat Key is one of the four cities in Florida that is
8 divided between two county lines, meaning since we kept Sarasota-Manatee County line whole,
9 we had to split Longboat Key. Mr. Speaker, members, that is the presentation for House Districts
10 57 through 83.

11 The Speaker: Thank you Representative Robinson. Representative Leek, you're
12 recognized.

13 Tom Leek: Thank you Mr. Speaker. Thank you Representative Robinson. Mr. Speaker I
14 ask that you recognize Representative Tuck to present the next region.

15 The Speaker: Representative Tuck, you're recognized.

16 Kaylee Tuck: Thank you Mr. Speaker. Moving onto the southeast portion of Florida,
17 Districts 84 through 86 are comprised of St. Lucie and Martin Counties, and also include a small
18 part of Palm Beach County. District 84 is kept entirely within St. Lucie County. Port St. Lucie is
19 one of ten cities too big for a House district, so it must be split, but all of the municipalities in
20 Martin and St. Lucie County are kept whole. This new configuration, compared to the
21 benchmark districts, is more compact and respectful of political and geographical boundaries.
22 This means we're looking at a more visually compact districts with easily recognizable lines.

23 Moving further south, Districts 87 through 94 are kept wholly within Palm Beach

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1 County. This is only possible when another district incorporates the right amount of population
2 in Palm Beach County in the balancing act of population deviations. In this case, Palm Beach
3 County had approximately 57,000 too many people for eight State House districts. So by
4 including the amount of population with the population in Martin County in District 86, no other
5 district had to cross the Palm Beach County line.

6 District 88 is a performing majority-minority Black district protected by Tier One of the
7 Florida Constitution that is located entirely within Palm Beach County. As previously
8 mentioned, the functional analysis on this district that was conducted by staff ensures the
9 minority group's ability to elect candidates is not diminished. This configuration of District 88 is
10 a vast improvement in visual and mathematical compactness to the benchmark district that
11 results in splitting five fewer cities. The compactness scores of this district are also vastly
12 improved, with a .08 Reock score in the benchmark to a .30 in this configuration, and a .34
13 Convex Hull score in the benchmark to a .57 in this proposal.

14 Beyond the improvements to this district, the other districts throughout the county were
15 able to be improved in terms of both visual and mathematical compactness. District 89 is now a
16 compact rectangular-shaped district that also happens to be a majority-minority Hispanic
17 district. District 90 through 93 each keep municipalities whole within them and the configuration
18 of all these districts are mostly to accommodate keeping those cities whole, such as Boca Raton,
19 Boynton Beach, Delray Beach, and Wellington. The Loxahatchee National Wildlife Refuge is
20 unpopulated and located in a single census block. That is the reason why those districts in the
21 area have a bend in their shapes along the western side of each district and why the entire area is
22 included in District 94.

23 Moving into Broward County, ten districts are wholly located within in the county and

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1 just one other district crosses the Broward-Miami-Dade County line. There are no districts that
 2 cross the Palm Beach-Broward County lines. Overall, the 11 total districts that make up the
 3 population in Broward County have all improved Tier Two metrics when compared to the
 4 benchmark districts in this region. When more cities are able to be kept whole, including
 5 Margate, North Lauderdale, Oakland Park, Cooper City, Weston, and Dania Beach, and the cities
 6 that had to be split are divide as little as possible. For example, in the proposed map, the city of
 7 Plantation is split into three districts, which is an improvement over the benchmark, where
 8 Plantation is split into five districts.

9 Districts 97, 98, and 99 in the northern part of Broward County, and Districts 104 and
 10 105 in the southern part of the county, are performing Black districts protected by Tier One.
 11 Districts 97 and 99 are majority-minority Black districts. All of these districts are wholly within
 12 Broward County, except District 104 that crosses the Miami-Dade County line. As mentioned in
 13 the opening remarks, the functional analysis on these districts was conducted by staff to ensure
 14 the minority group's ability to elect candidates is not diminished.

15 District 103 contains all of the city of Weston and is an otherwise compact district.
 16 Almost 90% of the district's boundary follows municipal lines, major roadways, or the Broward
 17 County line. It also happens to be a majority-minority Hispanic district wholly within Broward
 18 County. And that is Districts 84 through 105, thank you Mr. Speaker.

19 The Speaker: Thank you Representative Tuck. Chairman Leek, you're recognized.

20 Tom Leek: Thank you Mr. Speaker. Thank you Representative Tuck. Mr. Speaker I ask
 21 you to recognize Representative Byrd to explain the last region.

22 The Speaker: Representative Byrd, you're recognized.

23 Cord Byrd: Thank you Mr. Speaker. We will now cover House Districts 104 through 112.

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1 Moving to the northern part of Miami-Dade County, you can see that only one district crosses
2 the Miami-Dade County line, District 104. This is an improvement over the benchmark map that
3 had four districts cross the Miami-Dade-Broward County line. As an added benefit of making
4 that change, District 105 is now wholly within Broward County, forming very square-shaped
5 districts that is more visually and mathematical compact than the original bill. Additionally, the
6 city of Miami Gardens is now only split between two districts as opposed to four districts in
7 earlier versions of the proposed map.

8 Districts 107, 108, and 109 shown here are entirely within Miami-Dade County and are
9 performing Black districts. Districts 107 and 108 are majority-minority Black districts. As
10 mentioned, a functional analysis on these districts was conducted by staff, ensuring these
11 districts continue to be protected. District 106 includes nine beach municipalities including
12 Miami Beach along the coast all wholly together, and the district's northern border stops at the
13 county line.

14 Looking at the region, the average of the compactness scores of the nine districts
15 improves compared to the benchmark district as well as their use of municipal lines. You may
16 notice Districts 107, 108, and 111 each have a small extension on their east sides, and in each
17 case, these extensions are made in order to keep cities wholly within the districts. Those
18 extensions are necessary to keep the city of North Miami Beach whole in District 107, the city of
19 Miami Shores whole in District 108, and the city of Medley whole within District 111. There are
20 also many other boundary lines that use municipal lines. For example, the boundary between
21 Districts 109 and 112 is made up almost exclusively of municipal lines, and many other
22 municipalities are whole within these districts. For example, Opa-Locka is kept whole in District
23 109, Miami Lakes is whole within District 110, Miami Springs is whole within District 112, and

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1 Doral is whole within District 11.

2 We'll now move to House Districts 106 through 120. Now looking at Miami-Dade
3 County as a whole, 13 districts, Districts 106 through 119, are wholly within Miami-Dade
4 County. As we mentioned earlier, District 104 crosses the Broward-Miami-Dade County line and
5 the only other district to cross the county line is District 120, which crosses the Monroe-Miami-
6 Dade County line to include all of Monroe County.

7 Districts 106 and 120 are the only two districts that include all or part of Miami-Dade
8 County that are not Tier One protected districts. District 110, 111, 112, 113, 114, 115, 116, 118,
9 and 119 in Miami-Dade County are all performing Hispanic districts protected by Tier One of
10 the Florida Constitution. As mentioned, a functional analysis on each of these districts was
11 conducted by staff to ensure the minority's group ability to elect is not diminished. All nine of
12 these districts are majority-minority Hispanic districts entirely within Miami-Dade County.

13 District 117 in Miami-Dade County is a performing Black district that is entirely within
14 Miami-Dade County that has been recreated to ensure a minority group's ability to elect is not
15 diminished. The shape of District 117 is similar to the benchmark district, allowing Florida City
16 to be kept whole within the bottom part of the district. However, this district has greatly
17 improved boundary analysis scores compared to the benchmark district, where 43% of the
18 benchmark district followed non-political or geographic boundaries, and this proposed
19 configuration drops that number down to just 15%.

20 The boundary analysis score represents the biggest improvement in Tier Two metrics
21 over the benchmark in all these districts in Tier metrics. In the benchmark, these 15 districts
22 combined followed an average of 29% of non-political or geographic boundaries. The districts in
23 the proposed map cut that number almost in half to an average of just 15%. This means that

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1 throughout the whole region in Miami-Dade County, more easily recognizable geographical
2 features are used than in the current map. The shared border of Districts 114 and 115 utilize
3 municipal lines for the majority of its length. This is to keep the city of Coral Gables and South
4 Miami whole in District 114 and the cities of Pinecrest, Palmetto Bay, and Cutler Bay whole
5 within District 115. This boundary line may appear jagged than others in the area because of
6 these municipal lines. Because of the north-south nature of the population distribution and the
7 development of the major roadways in this area, many of the districts in the region take a more
8 vertical or north-south orientation. Districts 116, 118, and 119 are examples of this type of
9 configuration, which have been created using as many major roadways as possible.

10 Finally, District 120 at the southern end of the state has all the remaining parts of Miami-
11 Dade County, and entirety of Monroe County include the Dry Tortugas. Mr. Speaker that
12 concludes our redistricting journey through the state of Florida.

13 The Speaker: Thank you, Representative Byrd. Representative Leek.

14 Tom Leek: Thank you, Mr. Speaker, and thank you, Chair Byrd. And that, Mr. Speaker,
15 is the amendment containing the proposed State House map.

16 The Speaker: Members, we are in questions. We are in questions. Representative
17 Alexander is recognized, Representative Willhite, Representative Willhite, you're recognized.

18 Matt Willhite: Thank you Mr. Speaker. I'd like to yield to the floor to the member from
19 the 100th District, Representative Geller please.

20 The Speaker: Representative Geller, you're recognized in questions.

21 Joe Geller: Thank you, Mr. Speaker, and thank you, Chair Leek. Chair Leek, was this
22 map drawn entirely by committee staff?

23 The Speaker: Chairman Leek.

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1 Tom Leek: I would say not entirely by committee staff because you also had an input
2 after, as did the members and throughout the committees and subcommittees, but the work
3 product itself comes to you through the joint efforts of all the committee members and staff.

4 The Speaker: Representative Geller.

5 Joe Geller: Was it staff that made the whatever policy decisions were included in the
6 drawing of the map?

7 The Speaker: Representative Leek.

8 Tom Leek: Thank you Representative Geller. As you know, we all made those policy
9 decisions. They came up through the committee process, whether in the subcommittees or the
10 final committees, and those maps that you see today are the combination of all of those policy
11 decisions.

12 The Speaker: Representative Geller.

13 Joe Geller: Thank you Mr. Speaker. Were then maps that were proposed that we got
14 Thursday, the week before, did those maps contain policy decisions and who other than staff was
15 involved in the policy decisions that went into the maps as proposed to the subcommittees and
16 full committee?

17 The Speaker: Representative Leek.

18 Tom Leek: Thank you Representative Geller. Every map contains policy decisions and
19 all of us, as I've said from the beginning of this line of questioning, all of the members of the
20 subcommittees, all the members of the big committee were involved in making those policy
21 decisions.

22 The Speaker: Representative Geller.

23 Joe Geller: Thank you Mr. Speaker. I understand what your answer Chair Leek. My

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1 question goes not to what's there today, but what was proposed to the subcommittee and the
2 committee when the committee substitute was issued, when the committee bill was issued. Who
3 was involved other than staff in any policy decisions that went into the map that was proposed?

4 The Speaker: I think that's asked and answered Representative Geller, but Representative
5 Leek, you have anything additional to add to that question?

6 Tom Leek: No, I'd stand on my prior answer.

7 The Speaker: Any additional question for Representative Geller?

8 Joe Geller. Yes, thank you Mr. Speaker. Were any of those policy decisions made by you
9 or Chair Byrd in terms of the proposed map?

10 The Speaker: Representative Leek.

11 Tom Leek: I'd say that those policy decisions are made necessarily by me, by Chair
12 Byrd, by you, and every other member who engaged in the process.

13 The Speaker: Representative Geller.

14 Joe Geller: What was the reason that the actually proposed maps could not be presented
15 until the Thursday before the full committee and then the revisions Monday, two days before the
16 full committee?

17 The Speaker: Representative Geller do you have a question about the map? The bill
18 before you is the map. Do you have a question on the bill? Representative Geller.

19 Joe Geller: Thank you, Mr. Speaker. I'm trying to inquire about the process that got us to
20 the map.

21 The Speaker: I understand, Representative Geller. The process isn't in front of you to
22 vote on tomorrow. What is in front you is the map. Do you have questions on the substance of
23 the map for Representative Leek? You're recognized.

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1 Joe Geller: Thank you, Mr. Speaker. How was the software that was gonna be used
2 identified, Chair Leek?

3 The Speaker: Chairman Leek.

4 Tom Leek: I believe you're referring to the Esri software.

5 The Speaker: Representative Leek. I think he said yes.

6 Tom Leek: Okay, that's how it's referred to. It's the Esri software.

7 The Speaker: Representative Geller.

8 Joe Geller: Thank you, Mr. Speaker. My question is how was that software identified as
9 opposed to any other that was available?

10 The Speaker: Representative Leek.

11 Tom Leek: Thank you. This software was vetted. It is one that that is the industry leader
12 and used by many other states throughout the country.

13 The Speaker: Representative Geller.

14 Joe Geller: Thank you, Mr. Speaker. Was there any functionality it had that other
15 platforms didn't or were there any alternatives that did have additional functionality the Esri does
16 not.

17 The Speaker: I'm gonna recognize Chairman Leek in that question Representative Geller,
18 but I am gonna start limiting things – are limited to this substance of the map. Before us are the
19 substances of the districts. The questions should be about the districts. Chairman Leek, do you
20 have anything to add to that?

21 Tom Leek: Thank you, Speaker, I mean just to help you out here. All the software
22 products are unique. We felt this one was the most complete product for our purposes.

23 The Speaker: Representative Geller.

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1 Joe Geller: Thank you, Mr. Speaker, I'll ask one final question on that. Then I understand
2 your – your instruction.

3 The Speaker: No, sir next question has to be on the map, Representative Geller.

4 Joe Geller: One question, were there any Esri features that they offered that we declined
5 and were they given any specific instruction to disable any features or functionality?

6 The Speaker: Representative Geller do you have any questions on the substance of the
7 map?

8 Joe Geller: I have no further –

9 The Speaker: Representative Geller?

10 Joe Geller: I have no further questions at this time. I'll yield back to Representative
11 Willhite.

12 The Speaker: Representative Willhite, you are recognized.

13 Matt Willhite: Thank you Mr. Speaker. I yield the floor to the member from the 97th
14 District, Representative Daley.

15 The Speaker: Representative Daley you are recognized.

16 Dan Daley: Thank you, Mr. Speaker. Chair Leek, what methodology was used in drafting
17 the maps that are in front of us today and who established that methodology?

18 The Speaker: I'm sorry Representative Daley, I do apologize, will you restate that
19 question?

20 Dan Daley: Yes, Mr. Speaker. What methodology was used in drafting the maps that are
21 in front of us today and who established that methodology?

22 The Speaker: Representative Leek.

23 Tom Leek: Thank you, Mr. Speaker. We followed the Florida Constitution and Florida

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1 law.

2 The Speaker: Representative Daley.

3 Dan Daley: Thank you, Mr. Speaker, and thank you Chair for that answer. If the
4 methodology set out was simply compliance with Tier One and Tier Two criteria as outlined in
5 the Constitution, how did we reconcile, harmonize, or prioritize those criteria when they were in
6 conflict with one another?

7 The Speaker: Representative Leek.

8 Tom Leek: Thank you. That's a good question that goes on a case-by-case, district-by-
9 district basis. But you would see that we, in compliance with Tier One and with the multi-
10 standards across Tier One, we put those first. In compliance with Tier Two we considered all
11 those, where they were in tension we resolved those tensions by talking to the members, by
12 doing those things that I had – the committee put an emphasis on keeping counties whole and
13 keeping cities whole. And that's what we did.

14 The Speaker: Representative Daley.

15 Dan Daley: Thank you, Mr. Speaker. So just to clarify, it sounds like the methodology
16 was not necessarily the same throughout the map but it changed region-by-region.

17 The Speaker: Representative Leek.

18 Tom Leek: Yes, necessarily.

19 The Speaker: Representative Daley.

20 Dan Daley: Thank you, Mr. Speaker. What data set were used in drafting these maps and
21 where can the public access that data?

22 The Speaker: Representative Leek.

23 Tom Leek: The U.S. census data and the Florida elections data, all of which is available

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1 in Esri and has been since we started this process.

2 The Speaker: Representative Daley.

3 Dan Daley: Thank you Mr. Speaker and thank you Mr. Chair. Was any data or data sets
4 used by committee staff, or experts or consultants retained by the House that is not available to
5 members of the general public through the online redistricting application?

6 The Speaker: Representative Leek.

7 Tom Leek: Thank you, Mr. Speaker. No.

8 The Speaker: Representative Daley for a question on the map. You are recognized.

9 Dan Daley: Thank you, Mr. Speaker. How did we select the 30 districts that we received
10 performance on in the map packet, Mr. Speaker?

11 The Speaker: Representative Leek.

12 Tom Leek: I'm afraid I'm going to need you to be a little more precise there with the
13 language and make sure you are following the language of the law if you would please.

14 The Speaker: Representative Daley.

15 Dan Daley: Thanks Mr. Speaker. So it's my understanding, Chairman, that there were 30
16 specific districts that were called out and that's the performance data that we've received. How
17 did we select the 30 districts that we received the information on?

18 The Speaker: Representative Leek.

19 Tom Leek: Thank you, Mr. Speaker. I can speak to this generally, but of course, each
20 district is a district-by-district analysis. What we do is take the benchmark maps and then you
21 overlay it with the population data from 2020. You can see where the population clusters are,
22 you can also see where the previously protected districts were and then eventually get to a
23 functional analysis to make sure that that district is protected.

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1 The Speaker: No additional questions Representative Daley? Representative Willhite.

2 Matt Willhite: Thank you Mr. Speaker. I yield the floor to the member from the 107th
3 District, Representative Benjamin.

4 The Speaker: Representative Benjamin, you are recognized in questions.

5 Christopher Benjamin: Thank you, Mr. Chair – excuse me, Mr. Speaker. I'll get to Mr.
6 Chair in a minute, okay. Does the plan or any district favor any incumbent or political party?

7 The Speaker: Representative Leek.

8 Tom Leek: Absolutely not.

9 The Speaker: Representative Benjamin.

10 Christopher Benjamin: Thank you, Mr. Speaker. Mr. Chair, given the redistricting
11 suggestion form on the joint website, it requires the submission of the list of names of every
12 person, group, or organizations who collaborated with the submission of a map. Who drafted the
13 plan?

14 The Speaker: I'm sorry, I don't understand that question, Representative Benjamin.
15 Could you clarify?

16 Christopher Benjamin: Thank you, Mr. Speaker. I'll just ask the question. Who assisted
17 in the drafting of the plan?

18 The Speaker: I apologize, the plan on the website? The form, Representative Benjamin?
19 Or the map that's before us here today?

20 Christopher Benjamin: Yes, the form, the form. The map.

21 The Speaker: Okay, who drafted the map? Representative Leek.

22 Tom Leek: Thank you, Mr. Speaker. You did, we did, we all did, and utilized staff to
23 help us do it.

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1 The Speaker: Representative Benjamin.

2 Christopher Benjamin: Thank you, Mr. Speaker. In the map, this is the committee's final
3 version of a map, how many drafts did we go through before we got here?

4 The Speaker: Representative Leek.

5 Tom Leek: I think that's an impossible question to answer. We can talk about published
6 drafts that were vetted through the committees and the like. But every time you move a single
7 line, you change the districts all around them as well, so there is an infinite number of iterations
8 that you go through that I wouldn't necessarily call drafts and I don't have the information on
9 how many drafts were published to the committees. But I am sure it's available to you.

10 The Speaker: Representative Benjamin.

11 Christopher Benjamin: Thank you, Mr. Speaker. What if any persons, groups, or
12 organizations were consulted with regards to, other than staff, who was consulted with regards of
13 the drafting of the map?

14 The Speaker: Representative Benjamin, that is not a question about the map that is before
15 us today. Do you have a question about the maps, the districts, the demographic data that's
16 involved in the maps that are before us today? You are recognized.

17 Christopher Benjamin: Was any data used that included partisan makeups for the
18 district?

19 The Speaker: Representative Leek.

20 Tom Leek: I need you to be a little more precise there because you said the district. I
21 need you to specify which district.

22 The Speaker: Representative Benjamin you are recognized.

23 Christopher Benjamin: The districts that make up the final version that we are talking

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1 about today.

2 The Speaker: He means all the districts is what he's talking about, Representative Leek.

3 Tom Leek: A functional analysis is used to determine on protected districts to make sure
4 that the district continues to perform in the way that it is protected. Beyond that, I think you
5 asked partisan data, performance data is not used.

6 The Speaker: Representative Benjamin.

7 Christopher Benjamin: Is there any partisan data available on the program that was used
8 to draft the current maps?

9 The Speaker: I think that's asked and answered, Representative Benjamin. Any additional
10 questions on the substance of the map that's before us? Representative Benjamin.

11 Christopher Benjamin: Were efforts made to accommodate the public with remote
12 testimony options given that this process took place during the pandemic and were there any
13 language options other than English?

14 The Speaker: Representative Benjamin, that is not a question on the map. Members, I
15 know that we have a lot of concerns and a lot of opinions about redistricting. Now is not the time
16 to air those opinions. Today is about asking questions about the map. Before you is a
17 presentation that includes 120 House districts. 120 different separate districts that contain
18 Floridians across the state. Each one of those districts is different. As you know, there are many
19 cities, counties, road splits, waterway splits that aren't contained inside those districts. As many
20 of you know who are on these committees, there is a lot that goes into this process. All of those
21 questions are relevant to be asked here today. Questions that don't include any of those things
22 that included in those 120 district are not relevant to be included here today. So please, the rest of
23 the day if we could keep our questions directly to the maps, I promise you there is plenty of

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1 questions that could be asked by these 120 districts that span our state that includes 22 million
2 people. Representative Benjamin, you are recognized.

3 Christopher Benjamin: That concludes my questions. Thank you, Mr. Speaker.

4 The Speaker: Thank you Representative. Representative Willhite, you are recognized.

5 Matt Willhite: Thank you Mr. Speaker. I would like to recognize a member from the 59th
6 District, Representative Learned.

7 The Speaker: Representative Learned, you are recognized.

8 Andrew Learned: Thank you, Mr. Speaker. Thank you, Chairman, for your work. I was in
9 the bubble trying to understand how this process happened, and I guess he was walking through
10 how we drew, essentially, from the corners of the state. So kind of starting in northwest and
11 working our way to the south. And I guess my question is about, I know we were presented with
12 two maps in the committee proc— in the subcommittees and then the one we have before us now.
13 My question is are those the two versions that were submitted? Were there other versions of how
14 we got to that place? So maybe we started in the middle of the state and worked our way out. Or
15 was it just the two versions?

16 The Speaker: Representative Leek.

17 Tom Leek: Thank you, Mr. Speaker. Let me do my best. I think you are talking about the
18 two versions, the workshop versions? And the workshop versions were versions that were
19 designed to show the members of the committee the different ways you can approach
20 constructing legally compliant maps. And so in some instances we focused more on compactness
21 and in other instances we may have focused more on keeping cities and counties whole. Those
22 were workshop maps.

23 The Speaker: Representative Learned, you are recognized.

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1 Andrew Learned: Thank you, Mr. Speaker. So I guess and the question I'm asking is
2 about how we got to this place. It sounds like the two versions where we started in the corners
3 and worked our way into the middle. Were there versions of maps that were drawn that maybe
4 started in the middle of the state worked its way out? Or an AI that assigned 100,000 maps then
5 we sorted through by minority access to make sure we hit our Tier One criteria. Were there other
6 ways of drawing maps that we didn't consider?

7 The Speaker: Representative Leek, you are recognized.

8 Tom Leek: Thank you, Mr. Speaker. You know, I've heard it said that the map could be
9 drawn legally compliant in an infinite number of ways. I don't know that you – infinite is the
10 right way to go at that. It's probably innumerable though. You probably can't get to the number
11 of different ways – we couldn't count that high. Let me just say that. So if you're talking about
12 ways that were not considered. I think the universe of that is too big for us to even ponder today.
13 What you had is how we did consider it. And we took the benchmark maps, we took the 2020
14 census data, laid it across. We looked at the protected districts and then we adjusted for
15 population in the ways that you see in front of you.

16 The Speaker: Representative Learned, you are recognized.

17 Andrew Learned: Thank you, Mr. Speaker. And I think this is my last question. Are there
18 – so I think I understand how we got to the two workshop maps. Did we purposely reject any
19 other methods of getting to this final product, or did we just decide that those two the right ones
20 and we just decided we were going to run with or did we reject any others for criteria that we
21 haven't – we don't have here.

22 The Speaker: Representative Leek, you are recognized.

23 Tom Leek: Thank you, Mr. Speaker. Remember that this map, in some cases, where the

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1 geography of the state of Florida is unique, it's difficult. We can't carve it up into neat little
2 squares like some of the states out west. So what we did is in some instances to achieve the
3 proper population within the geographic limitations, you end up focusing more on counties and
4 more on cities. And always we looked at the resulting districts and checked them for
5 compactness. I hope that answers your question.

6 The Speaker: Representative Learned, you are recognized.

7 Andrew Learned: Thank you, Mr. Speaker. Just one last one. So in doing that across the
8 state, did we apply the same method statewide or was there geographical concerns? So like, kind
9 of to your point, it is a weird state, right? So do we draw the Panhandle, for example, different
10 than we drew urban Miami or Tampa Bay from Jacksonville because of the way the Bay splits
11 and we've got things going across the Bay. So was the map drawn differently in different parts of
12 the state because of its unique geography?

13 The Speaker: Representative Leek.

14 Tom Leek: I think I understand what you're asking. We didn't emphasize any of these
15 specific legally compliant methods that we could have drawn maps any differently across the
16 state.

17 The Speaker: Alright, we are going to take a quick break in the action members.

18 [Recognition]

19 The Speaker: Alright members we are back in questions. Representative Willhite, in
20 questions.

21 Matt Willhite: Thank you Mr. Speaker. I would like to yield the floor to Representative
22 Woodson from the 101st District.

23 The Speaker: Representative Woodson, you are recognized.

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1 Marie Paule Woodson: Thank you Mr. Speaker. And Chair Leek I have a question for
2 you. Knowing that the Haitian Creole speakers are reported as the third-largest language group in
3 Florida, how were the Haitian Creole speakers reflected in this plan and how are the language
4 speakers identified in our mapping software as well?

5 The Speaker: Representative Leek.

6 Tom Leek: Thank you, Mr. Speaker. Thank you Representative. In large part as a result
7 of your input in committee, we were able to protect the Haitian Creole language speakers within
8 Districts 107 and 108.

9 The Speaker: Representative Woodson.

10 Marie Paule Woodson: Thank you Mr. Speaker. How did we prepare for the 2022
11 redistricting cycle, when it come to that? Was there any preparation done in order for us to really
12 look at drafting a whole district for the Haitian community?

13 The Speaker: Representative Woodson could you clarify that question a little bit for me.

14 Marie Paule Woodson: No, I wanted to know, Mr. Speaker, was there anything done just
15 to cast out to map out a whole district for the Haitian community since the numbers have grown
16 so much.

17 The Speaker: Representative Leek.

18 Tom Leek: Thank you, Mr. Speaker, I'll do my best with that. As you know, the census-
19 level data doesn't include Haitian Creole as a language-speaking minority. The actual
20 information that we do get to redistrict doesn't have that. As you also know, Florida elections
21 data or that's kept doesn't provide the option to – when you vote it isn't recorded as Haitian
22 Creole. So what we did is we talked to you and we talked to the other members in those types –
23 that process throughout the committee process to get to the point where we were able to

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1 recognize that Districts 107 and 108 would be those protected districts that you are talking about.

2 The Speaker: Representative Woodson.

3 Marie Paule Woodson: And I appreciate that, Chairman Leek, you working with me on
4 that. But I want to know, knowing that we have ten years to prepare for that, is there any
5 guarantee that we would do better next time to make sure we identified the data in order to do
6 what we just mentioned?

7 The Speaker: Representative Woodson I'm sure we could talk about next time at some
8 point but today we've got to ask questions on the map. Do you have any additional questions on
9 this map? Understood. Representative Willhite.

10 Matt Willhite: Thank you Mr. Speaker. I'd like to yield the floor to representative Joseph
11 from the 108th District.

12 The Speaker: Representative Joseph, you are recognized.

13 Dotie Joseph: Thank you, Mr. Speaker. Alright so I'm looking here at the Florida
14 Constitution. We all have a copy of this particular book. And I want to draw the members'
15 attention Article III, Sections 20 and 21, subsection (a). Which requires when drawing these
16 maps, the districts shall not be drawn with the intent or result of denying or abridging the equal
17 opportunity of racial or language minorities to participate in the political process or diminish
18 their ability to elect representatives of their choice. My question is, in evaluating how Haitian
19 Creole speakers or even Hispanic language speakers are factored in, is it the position of the
20 House, whoever can answer this, when looking at the maps, that Haitian Creole language
21 speakers are or are not entitled to minority language protection under the state constitution
22 provision that I just read?

23 The Speaker: Representative Leek.

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1 Tom Leek: Okay, thank you Mr. Speaker. So we have protected Haitian Creole speakers
2 in Districts 107 and 108. What I think you're struggling with is that data is not collected by the
3 census, right, the census data used for redistricting and it's not collected by the state of Florida
4 for elections and so to do so we had to rely on member input.

5 The Speaker: Representative Joseph.

6 Dotie Joseph: Thank you Mr. Speaker. So just to clarify, because I appreciate you
7 answering the question. You think I asked and I'm going to get to that question too. I guess my
8 initial question is just, is it the position of the House that language minorities are protected? And
9 it sounds like that answer is yes, but I don't want to assume, because you said we have protected.
10 So is it the position of the House that Haitian Creole language speakers are a protected class
11 pursuant to the Florida constitutional provision for language minorities?

12 The Speaker: Representative Leek.

13 Tom Leek: Yeah. So there's no case precedent establishing it as a protected language
14 minority, we nonetheless have done so. So I can't answer your technical question of whether it is
15 legally a recognized language minority. I can tell you that caselaw doesn't exist for that. But we
16 have nonetheless done it.

17 The Speaker: Representative Joseph.

18 Dotie Joseph: Thank you Mr. Speaker. I appreciate that, I guess what I'm asking, I'm not
19 asking you to serve as in the position of a court of law. I'm just asking in the purpose, for us to
20 understand as the maps were drawn, were they treated as a protected language minority class
21 pursuant to the Constitution or were they not? Whether they actually are is not my question.

22 The Speaker: Representative Joseph, I believe that's asked and answered. You have an
23 additional question, you can be recognized. Yes, ma'am, you're recognized.

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1 Dotie Joseph: I do have an additional question but to the extent that I'm still asking that
2 particular question. Because his response was that he can't answer legally, technically. I'm not
3 asking legally, technically. I'm just asking, in developing the maps that we are about to vote on,
4 was it treated as that or was it not?

5 The Speaker: Yes, ma'am and he answered your question. He said while that data might
6 not have been available, that was included in the districts through the input of members. He
7 answered that now several times. Representative Joseph, you are recognized.

8 Dotie Joseph: Thank you Mr. Speaker. My next question has to do with recognizing that
9 this community is constitutionally protected, what have we done to ensure that this language
10 minority group, particularly Haitian Creole, was included? I know you described some efforts
11 generically but as you mentioned the census data that you were relying on – you meaning the
12 committee staff – were relying on did not specifically have that. Can you describe for this body
13 how that was taken into account?

14 The Speaker: Representative Leek, do you have any additional data other than you took
15 the input of members in order to reflect that in the districts?

16 Tom Leek: No, sir.

17 The Speaker: Okay, any additional questions? You are recognized.

18 Dotie Joseph: Okay, so how was Haitian language minorities taken into account in these
19 maps?

20 The Speaker: That's been asked and answered, Representative Joseph, do you have
21 additional questions? You are recognized.

22 Dotie Joseph: Thank you, Mr. Speaker. Did the House's analysis involve ecological
23 regression or inference analysis to determine the level of minority cohesion, white voting bloc,

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1 and racially polarized voting?

2 The Speaker: Representative Leek.

3 Tom Leek: Thank you, Mr. Speaker. And just for those of you who are still awake in the
4 chamber, we are going to go down a very deep rabbit hole here. The analysis you're talking
5 about is a very intensive analysis that has to be performed by experts. Now the answer to your
6 question is yes, it is performed by experts. But the level of analysis or expertise that is required is
7 beyond staff and so we use our counsel to help us with that.

8 The Speaker: Representative Joseph.

9 Dotie Joseph: Thank you. So in saying that you used your counsel to help with that, I
10 asked about three particular categories. One of them being minority cohesion, the second being
11 white voting bloc, and the third being racial polarized voting. Which, if any, of those were taken
12 into account by counsel in drawing these maps?

13 The Speaker: Representative Leek.

14 Tom Leek: What I can tell you is that we are conducting all the appropriate constitutional
15 analyses and that information then comes to us and we use that to make the decisions that are
16 necessary in the maps that you have in front of you.

17 The Speaker: Representative Joseph.

18 Dotie Joseph: Thank you, Mr. Speaker. So I guess – I don't want to ask and answer a
19 question. I asked the question but I didn't get an answer to the question. And I'm not sure how to
20 proceed. Because I have other questions I can ask. But I heard that we're getting appropriate
21 analyses. And before that, the answer was that counsel is advising us. So – if the answer is you
22 don't know, that's fine. I guess I just – because we're about to vote on it, to the extent that I can
23 get clarity on just those three points.

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1 The Speaker: Representative Leek would you like to clarify?

2 Tom Leek: Thank you, Mr. Speaker. Yeah, the problem is the question, right. Because
3 that type of analysis is not done on every district. And so if you want to ask for a specific district
4 then we can answer that question. The other problem with that is it's removed from us, right, so
5 it is a couple of steps from us, done by the experts who are beyond anybody I know in this room
6 able to perform that analysis. So I'm doing the best I can with the question I got and the
7 information I have.

8 The Speaker: Representative Joseph.

9 Dotie Joseph: Thank you Mr. Speaker. And I appreciate the clarification. So that kind of
10 information is useful for us to know. So as it pertains to, you said the first part of your response
11 was that it was performed for some districts and not others. Can you identify for this body which
12 districts those three kinds of analyses were performed for? And if it's, you know – however you
13 want to answer that question.

14 The Speaker: Representative Leek.

15 Tom Leek: Thank you, not as I stand here today, no.

16 The Speaker: Representative Joseph.

17 Dotie Joseph: Thank you. So just to be clear, that analysis for those three categories that I
18 inquired about was performed, but not for all 120 districts?

19 The Speaker: Representative Leek.

20 Tom Leek: That analysis or some variation of that analysis, in combination of that
21 analysis, is performed, but not for every district.

22 The Speaker: Representative Joseph.

23 Dotie Joseph: Thank you Mr. Speaker. Is there some kind of record of which analysis

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1 was performed on which districts? Because you just said that analysis or some combination
2 thereof or some variation thereof. I'm just asking about three specific kinds of analyses.

3 The Speaker: Representative Leek.

4 Tom Leek: Thank you, Mr. Speaker. And I want to be clear. The problem with answering
5 that question is they don't exist independent of each other. Sometimes they are used in
6 combinations, sometimes they are used in different combinations. I don't have the information
7 on which combinations were used on which districts. I can say with certainty it's not performed
8 on all 120 districts. The other problem with that is that the analysis is done, you know, not by
9 me. But outsiders. So I can't tell you what records they have or those types of things. But I
10 would expect them to have all the records that lawyers keep.

11 The Speaker: Representative Joseph.

12 Dotie Joseph: Thank you, Mr. Speaker. So somebody has this information. Some of the
13 analysis was performed. Can you share with the body who conducted that analysis and how we
14 can access that information? Because we still don't have it and we're about to vote on it.

15 The Speaker: Representative Leek.

16 Tom Leek: Yeah, the same thing. My same answer from before, right. Our counsel does
17 that. Our counsel would have that information. And I don't – I think quite frankly even if you
18 had the information, including myself in this group, it would not be, it doesn't report itself in a
19 way that the normal person can look at it and use it, right. So you have to have an expert to
20 interpret it as well. So that's the best I can do for you right now.

21 The Speaker: Representative Joseph.

22 Dotie Joseph: Thank you Mr. Speaker. What was the result of those regression inferences
23 analyses? Even if you yourself don't have them, was that discussed with you, or anybody, or

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1 staff in some way, shape, or form by your outside counsel?

2 The Speaker: Representative Joseph, do you have a question about a particular district?
3 That might make it a little easier to answer.

4 Dotie Joseph: So let's say the 120th District, was that analysis performed? Any of those
5 analyses performed?

6 The Speaker: Representative Leek.

7 Tom Leek: No, and the analysis would not be performed on anything other than protected
8 districts.

9 The Speaker: Representative Joseph.

10 Dotie Joseph: Thank you. So how many protected districts has this House identified for
11 the House and for the Senate maps?

12 The Speaker: Representative Leek.

13 Tom Leek: Again, I can answer for the House, the House has 30. I can't answer for the
14 Senate. I'm sure that information is available to you from somebody.

15 The Speaker: Representative Joseph.

16 Dotie Joseph: Thank you, Mr. Speaker. So just to make sure, none of these analyses were
17 performed outside of the 30 districts that have been identified as protected?

18 The Speaker: Representative Joseph, that question's been asked and answered. Do you
19 have an additional question? You're recognized.

20 Dotie Joseph: Thank you. For the protected districts, restricting it to the 30 that this
21 analysis was performed for, did it show high, medium, or low cohesion among Latino voters or
22 Hispanic voters?

23 The Speaker: Is that on a specific district, Representative Joseph?

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1 Dotie Joseph: Any one of the 30, I don't have the list in front of me. I wish I did. In the
2 maps, I don't – let me see here.

3 The Speaker: Okay, Representative Leek you are recognized.

4 Tom Leek: Thank you, Mr. Speaker. Let me see if I could help. You know, cohesion is
5 one of the factors in determining what is a protected district. And cohesion changes district by
6 district, ethnicity by ethnicity. So it is difficult to answer the question as if it's being asked
7 broadly for the whole map. What I could tell you is that in some instances, you may have the
8 African American protected districts, Black districts are – they may be cohesive and able to elect
9 the candidate of their choice with, you know, a 29% – excuse me Black voting-age population.
10 Hispanics on the other hand, if you look across the maps, usually you won't see that type of
11 performance occur until you get to about the 65% or 70% Hispanic voting-age population.

12 The Speaker: Representative Joseph.

13 Dotie Joseph: Thank you. For the benefit of the other members of the chamber, I'm
14 looking at page 5 of 21 of the handout that we've been given of the maps here. I'm assuming this
15 is the 30 districts that we're referring to that are the protected ones. So my question would be,
16 based on your answer, in 2015, the Florida Supreme Court said, the evidence before this court
17 suggests a lack of Hispanic voting cohesion in the Miami-Dade area. Has the House's analysis
18 confirmed that or contradicted it based on the specific ones that are in Miami-Dade County from
19 the 30 protected ones on that page?

20 The Speaker: Representative Leek.

21 Tom Leek: I appreciate the question. It's difficult to give you a precise answer to that
22 question. All of the districts in front of you, including the Hispanic protected districts, are drawn
23 to be legally compliant.

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1 The Speaker: Representative Joseph.

2 Dotie Joseph: Thank you, Mr. Speaker. Has the House considered the diversity within the
3 Latino community when doing the functional analysis that you referred to by outside counsel in
4 the South Florida districts? Or any district that's protected and included among the 30 that we
5 have here?

6 The Speaker: Representative Leek.

7 Tom Leek: Thank you, Mr. Speaker. That's not part of the data that's given to us, the
8 census data or the elections data.

9 The Speaker: Representative Joseph.

10 Dotie Joseph: Thank you. So for the highest language minority group being Hispanics,
11 and the second highest language minority group in the state of Florida being Haitian Creole. In
12 the past, the last redistricting round, that data was included and evaluated in constructing these
13 maps. How was that same data included or not included in developing the maps this go-around?

14 The Speaker: Representative Leek.

15 Tom Leek: Thank you, Mr. Speaker. I believe you are referring to the ACS data, is that
16 correct?

17 The Speaker: Yes, you're recognized.

18 Dotie Joseph: Yes, thank you Mr. Speaker. And just for the benefit of the public can you
19 say what ACS stands for. And I feel like the answer is yes.

20 The Speaker: Representative Leek.

21 Tom Leek: Thank you. ACS stands for American Community Survey, which previously
22 was used by this House. I will point out that a member of the Democratic caucus challenged the
23 use of that because it was unreliable in the arguments that were there, and I agree. So that data is

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1 using 2010 census data. It's also on a rolling five-year report and it doesn't get into the level of
2 specificity that is required to redistrict. So in this instance, we are not using it and I think your
3 side's complaints were well taken before.

4 The Speaker: Representative Joseph, I'm going to recognize you for one more question.
5 Then I'm going to move onto other folks and if you have additional questions if we have time at
6 the end, I will cycle back to you. Representative Joseph you are recognized.

7 Dotie Joseph: Thank you, Mr. Speaker. This is my last question for this round. My only
8 question for you is, in making that decision not to rely on it this round, you say it's because of
9 prior objections. We've had ten years to come up with an alternative to figure out a way to
10 comply with the Florida Constitution as it relates to language minorities, what if any efforts were
11 made, in lieu of the ACS data, to take that into account?

12 The Speaker: Representative Leek.

13 Tom Leek: I stand on my prior answer.

14 The Speaker: Representative Willhite.

15 Matt Willhite: Thank you Mr. Speaker I would like to recognize the member from the
16 63rd District, Representative Driskell.

17 The Speaker: Representative Driskell, you are recognized.

18 Fentrice Driskell: Good evening, Mr. Speaker, thank you. Hi Chair Leek. I have some
19 questions about districts down in South Florida. Specifically, Districts 114, 115, 116, 118 and
20 119. In looking at the districts in 8013, these districts that I just named are all long, skinny,
21 vertical districts, and they are significantly greater in their length than they are in their width. Do
22 you consider each of those five districts to be compact?

23 The Speaker: Representative Leek.

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1 Tom Leek: Thank you. You know, compactness is only one of the Tier Two standards,
2 one of the measures, so it does meet an acceptable compactness score. But in those specific
3 districts, and I'm going to do this from the general, broadest sense. We would have looked at, are
4 we keeping counties whole? Can we keep a county whole? Are we keeping cities whole? Does it
5 make more sense to use this geographic boundary, either this waterway or this railroad or this
6 road. So compactness would be one of the measures, but not the only measure.

7 The Speaker: Representative Driskell, you are recognized.

8 Fentrice Driskell: Thank you, Mr. Speaker. Because I had some questions about the
9 compactness scores. Because it looks like for – if you look at Reock and Polsby-Popper
10 compactness scores, it looks like these districts might be outliers with respect to the rest of the
11 map, and they may actually have the worst kind of compactness scores. So for example, House
12 District 118 has the second-worst Reock score in the plan. It ranks number 104 on Polsby-
13 Popper, and it runs over 14 miles north-south. But it's just 1.7 miles at its skinniest point. So do
14 you consider that map compact and if so, why?

15 The Speaker: Representative Leek.

16 Tom Leek: Let me do what I can here. So you also have some protected districts, so there
17 is also another analysis that goes in that, in addition to compactness. So, remember that's a Tier
18 One element. So we get to compactness after Tier One. So we had to make sure that the
19 protected districts continue to perform within reason, as they had performed. Compactness is, my
20 recollection is, that compactness is the closer you get to one the better the score. I'm waiting for
21 a headshake here. The compactness is, I believe the closer you get to one the better the score. So
22 yes, I would consider those within the legal limits, yes.

23 The Speaker: Representative Driskell.

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1 Fentrice Driskell: Thank you, Mr. Speaker. So then looking at House District 119, the
2 challenge there is that it's over four times longer than it is wide. So House District 119 and
3 actually 114 are tied for the seventh-worst Reock score in the plan. Do you consider 119
4 compact and if so, why – 119 and 114 compact, and if so, why?

5 The Speaker: Representative Leek.

6 Tom Leek: The short answer is yes, it is compact within the legal limits. And you're
7 talking about the length of the districts, which is not a factor in determining whether it's legally
8 compliant.

9 The Speaker: Representative Driskell.

10 Fentrice Driskell: Thank you. Is length a factor in determining whether or not it's
11 compact?

12 The Speaker: Representative Leek.

13 Tom Leek: Thank you, Mr. Speaker. Not technically, it would fall under the eyeball test,
14 the visual compactness that sometimes we talk about. But it is not technically considered – it's
15 not one of the legal components.

16 The Speaker: Representative Driskell.

17 Fentrice Driskell: Thank you, Mr. Speaker. House District 115 runs over 15 and a half
18 miles north-south but it's 1.8 miles at its narrowest point, and it has an appendage jutting north
19 of Snapper Creek to the Tamaimi Trail. House District 115 has the seventh-worst Reock score in
20 the plan, it's tied with HD 119. And it ranks number 108 on the Polsby-Popper and 109 on the
21 Area/Convex Hull. So do you consider that compact and if so, why?

22 The Speaker: Representative Leek.

23 Tom Leek: Thank you, Mr. Speaker. Yes, it is compact within the legal limits. The

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1 specifics of why, I think that particular district we were trying to keep some cities whole. The
2 specifics of that, I'm going to talk slowly here in hopes that Representative Byrd will be ready to
3 answer this question. So Mr. Speaker, I would ask that you recognize Representative Byrd.

4 The Speaker: Representative Byrd, we'll recognize you as soon as you're ready.
5 Representative Leek.

6 Tom Leek: Thank you, Mr. Speaker. This is probably also a good opportunity to point out
7 this is one of those occasions where it may be useful to go sit with Mr. Langan in the back. And
8 he can tell you which decisions were made to why this juts out here and that road was used and it
9 usually came from member input or was the result of trying to keep a city or a county whole. But
10 I'd ask you to recognize Representative Byrd.

11 The Speaker: Representative Byrd, you are recognized.

12 Cord Byrd: Thank you, Mr. Speaker. So when you look at Districts 114 and 115, we're
13 trying to keep the city of Coral Gables whole, and that's why – that's where the boundary line is.

14 The Speaker: Representative Driskell.

15 Fentrice Driskell: Thank you, Mr. Speaker. Let's talk about House District 116 and 114.
16 Both of those are tied for number 103 on Reock. Do you consider that compact and if so, why?

17 The Speaker: Representative Leek.

18 Tom Leek: The short answer is yes. They are compact, and remember a score closer to
19 one is better.

20 The Speaker: Representative Driskell.

21 Fentrice Driskell: Thank you, Mr. Speaker. One additional question about 114. Actually,
22 I guess I haven't asked about 114. So House District 114 ranks number 104 on the Area/Convex
23 Hull and number 98 on Polsby Popper. Would you consider that compact and if so, why?

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1 The Speaker: You are recognized, Representative Leek.

2 Tom Leek: Thank you, Mr. Speaker. It's the same answer.

3 The Speaker: Representative Driskell.

4 Fentrice Driskell: Thank you, Mr. Speaker. Just one moment because I wanted to double-
5 check those scores. Because I don't think they're quite close to one. So I wanted to make sure
6 that I understood what chair Leek was saying when he was saying that close to one is better. Can
7 we ask Chair Leek to explain?

8 The Speaker: Do you want to clarify that, Representative Leek?

9 Fentrice Driskell: Thank you.

10 Tom Leek: Thank you, Mr. Speaker. Perhaps I misunderstood your question. I thought
11 you were talking about a score. Are you talking about a ranking?

12 The Speaker: Representative Driskell.

13 Fentrice Driskell: Both. Thank you, Mr. Speaker. I'm talking about both in the sense that
14 they are ranked so low because their scores are not great. But you were saying closer to one is
15 good, but it looks like a lot of these have scores that are not close to one. So I was just curious.
16 Clarity why we were saying that if it's close to one it's better?

17 The Speaker: Representative Leek.

18 Tom Leek: Yeah, you know the rankings of them, something has to be one something has
19 to be last, 120, so the rankings aren't particularly useful, but I would look at the score. So the
20 score for the particular district you are talking about on the Convex Hull I think is a .73, which is
21 also an opportunity for me to make the point that the closer you get to one the better the score.
22 So the answer is yes, they are not only compact, but legally compliant.

23 The Speaker: Representative Driskell.

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1 Fentrice Driskell: Thank you Mr. Speaker. And so looking at 114, the score on the
2 Polsby-Popper, though, is .35. So how do you balance that in determining that it's compact.

3 The Speaker: Representative Leek.

4 Tom Leek: Thank you, Mr. Speaker. There is, as we went through our initial meetings,
5 we were trying to educate everybody about these particular ways of measuring compactness. We
6 also said that no one methodology is considered to be better or more appropriate any other, right.
7 So pulling out one score that's not necessarily the better of the three scores is not entirely useful
8 at determining compactness.

9 The Speaker: Representative Driskell.

10 Fentrice Driskell: Thank you Mr. Speaker. I guess the challenge I have with these is that
11 looking at the districts that we have just been talking about. Their scores are indicative that
12 they're outliers on the map. And so, their shapes are also irregular such that indicates that it's not
13 compact. So I'm trying to understand why, if you could explain why you consider these compact
14 if their scores appear to be outliers and their shapes indicate that they're not compact to the eye
15 test.

16 The Speaker: Representative Leek.

17 Tom Leek: Thank you, Mr. Speaker. And remember, compactness is only one of the
18 things that we look at to determine whether a district is appropriate. And some of those instances,
19 and I think Representative Byrd talked about this, it was necessary to keep cities whole.

20 The Speaker: Representative Driskell.

21 Fentrice Driskell: Thank you. A more general question, because I think we talked about,
22 with respect to 115, Chair Byrd was able to help that. But just generally, would you explain why
23 the five districts are shaped the way they are in 8013?

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1 The Speaker: Probably a lot to that, Representative Leek, you want to take a stab at it?

2 Tom Leek: Thank you, Mr. Speaker. I'll do the best I can. In some instances, we always
3 tried to keep counties and cities whole; because of population reasons sometimes you can't do it.
4 And quite frankly, members, one of the things you should know about our state is sometimes the
5 cities themselves are not contiguous. So it's impossible. So what we did, looking at what we can
6 keep whole, we often times prioritize cities, and sometimes over compactness. But we compared
7 all of those things coming together and then did what we could to best represent that district.

8 The Speaker: Representative Driskell.

9 Fentrice Driskell: Thank you, Mr. Speaker. I'll try to ask that another way, Chair Leek,
10 which, was it necessary that those five districts be long and skinny and noncompact to comply
11 with Tier One?

12 The Speaker: Representative Leek.

13 Tom Leek: Thank you, Mr. Speaker. Tier One is a wholly separate analysis, right. And so
14 we're not going to get to compactness until we are ensured that Tier One is satisfied. Once we
15 get to Tier Two, then you can start to take into account those types of factors, like is it compact,
16 does it keep a city whole. And what you see before you was the best configuration that we could
17 come up with in balancing all of those factors.

18 The Speaker: Representative Driskell.

19 Fentrice Driskell: Thank you, Mr. Speaker. Looking at those districts though, why
20 couldn't, for example, Districts 118 and 119 just be stacked on top of each other like squares?

21 The Speaker: Representative Leek.

22 Tom Leek: Thank you, Mr. Speaker. I don't want to go down the what if range. Because
23 as we've indicated, there are an innumerable number of ways that you could draw legally

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1 compliant maps. But if you're interested and want to sit with Mr. Langan he can tell you, for
2 instance, why this line is drawn here. And in most cases, it's going to be that's a major roadway,
3 or that's a waterway. But he has the specific answers to the specific questions about the specific
4 districts you're asking about.

5 The Speaker: Representative Driskell.

6 Fentrice Driskell: Thank you Mr. Speaker. And maybe we could get those answers from
7 him and share that so that it's a part of the record that we're discussing here today. Why
8 wouldn't, for example, District 115 lose its northern appendage up to the Tamiami Trail and be
9 more compact, taking up the southern portion of 116 and trading the appendage with 116?

10 The Speaker: Representative Leek.

11 Tom Leek: Mr. Speaker, I would ask that you recognize Representative Byrd.

12 The Speaker: Representative Byrd.

13 Cord Byrd: Thank you, Mr. Speaker. Because that's a Tier One standard that we applied.

14 The Speaker: Alright. Representative Willhite.

15 Matt Willhite: Thank you, Mr. Speaker. I yield the floor to the member from the 44th
16 District, Representative Thompson.

17 The Speaker: Representative Thompson, you are recognized.

18 Geraldine Thompson: Thank you, Mr. Speaker. Chair Leek, as a member of the
19 Redistricting Committee, I've heard you indicate that there are 18 seats that are currently African
20 American and 12 that are Hispanic, for a total of 30, and that's after the 2010 census. And today
21 after the 2020 census, we still have 30, even with considerable growth. Would you please walk
22 us through the benchmark process, in terms of this is where we start, this is where we'd like to
23 go. Tell us what data you used, how did you use it, and what was the process to identify the

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1 protected districts.

2 The Speaker: It's kind of a compound question, Representative Thompson.
3 Representative Leek you want to take a swing at it?

4 Tom Leek: Thank you, Mr. Speaker, I will. And I'm going to go back to where we
5 started. Remember that we took the 2010 benchmark map. We laid it out and then we took the
6 2020 census data and we used that population data and put it over top of it, alright. And then in
7 that population data we looked at the protected districts to make sure that the protected districts
8 could continue to perform. As population moves or grows relative to the every other population
9 movement and growth. So and so necessarily, it's going to resolve in new district lines, but what
10 we have done is that we made sure that we did not diminish in any way the minority populations'
11 ability to elect a candidate of its choice in those protected districts.

12 The Speaker: Representative Thompson.

13 Geraldine Thompson: Thank you Mr. Speaker. Representative Leek, I know that we have
14 been careful to make sure that there is no retrogression. But from what I can see, there's been no
15 progression. So I'd like to know what process was used to identify the Voting Rights Act or Tier
16 One protected districts in the benchmark maps.

17 The Speaker: Representative Leek.

18 Tom Leek: Thank you Mr. Speaker. A functional analysis, which is what is required by
19 law.

20 The Speaker: Representative Thompson.

21 Geraldine Thompson: Thank you Mr. Speaker. Representative Leek did you run this
22 functional analysis on all 120 districts?

23 The Speaker: Representative Leek.

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1 Tom Leek: Thank you, respectfully, I've asked and answered that question a couple of
2 times.

3 The Speaker: Representative Thompson.

4 Geraldine Thompson: Thank you. Then for clarity just so that I want to make sure that I
5 understand, is it correct that you input the current 2020 census data into the last legally operative
6 map and the 2012 enacted map to determine the benchmark performance.

7 The Speaker: Representative Leek.

8 Tom Leek: Thank you, Mr. Speaker, yes.

9 The Speaker: Representative Thompson.

10 Geraldine Thompson: Thank you, Mr. Speaker. And so you've said very clearly that you
11 did not perform the functional analysis on all districts, only on the 30 that we already had after
12 the 2010 census. I'd like to know, based on your analysis, is there a benchmark district from the
13 2012 map in Volusia where Black voters have had an ability to elect candidates of choice in the
14 last decade?

15 The Speaker: Representative Leek.

16 Tom Leek: Thank you, Mr. Speaker. Thank you Representative. By the way, we over
17 there call it Volusia but that's just us. I will say that I think I know the district that you are
18 talking about and there was no longer a performing district there.

19 The Speaker: Representative Thompson.

20 Geraldine Thompson: Thank you, Mr. Speaker. So in House District 26, you said it's not
21 performing. Was there a Black candidate elected in Volusia in the last decade? Did I say Volusia
22 correctly? Thank you.

23 The Speaker: Representative Leek.

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1 Tom Leek: Thank you, you did, and yes.

2 The Speaker: Representative Thompson.

3 Geraldine Thompson: Thank you, Mr. Speaker. Is the benchmark for HD 26 protected
4 from retrogression and if not, why not?

5 The Speaker: Representative Leek.

6 Tom Leek: Thank you, Mr. Speaker. It's not, and because it ceased to be a performing
7 district.

8 The Speaker: Representative Thompson.

9 Geraldine Thompson: Thank you, Mr. Speaker. Chair Leek, in ruling enforcing the
10 Voting Rights Act retrogression standard, which has been cited by the Florida Supreme Court,
11 the federal courts have talked about districts in which minorities usually, although not always,
12 elect their preferred candidates. So this is why I'm continuing to ask this question. Does the
13 benchmark for HD 26 fall into that category?

14 The Speaker: Representative Leek.

15 Tom Leek: Thank you, Mr. Speaker. We performed a functional analysis and it is no
16 longer performing. So it doesn't achieve the outcome that you're suggesting. In that functional
17 analysis you look at of the different factors, we've laid out before but that particular district was
18 no longer a performing district.

19 The Speaker: Representative Willhite.

20 Matt Willhite: Thank you Mr. Speaker. I yield the floor to Representative Davis from the
21 13th District.

22 The Speaker: Representative Davis, you are recognized.

23 Tracie Davis: Thank you, Mr. Speaker. Thank you Chair Leek. Given the proportional

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1 increase in the minority populations across the state, was there a possibility effective minority
2 districts that are not reflected in this plan?

3 The Speaker: Representative Leek.

4 Tom Leek: Thank you, Mr. Speaker, no.

5 The Speaker: Representative Davis.

6 Tracie Davis: Thank you, Mr. Speaker. Why were they not included?

7 The Speaker: Representative Leek.

8 Tom Leek: Thank you, I was answering the question was it possible. The answer is no. It
9 was not possible. And remember when we're talking about growth we're talking about relative
10 growth. So some of us in committee we may have heard many times that, I believe the woman
11 used the term of 32% Hispanic growth. When compared to the rest of the growth that occurred,
12 that number only changes 4% over where it was in 2010. So remember, we're talking about
13 relative growth, not any growth.

14 The Speaker: Representative Davis.

15 Tracie Davis: Thank you, Mr. Speaker. How many Black benchmark districts are there
16 and how many Black performing districts are there in the plan we are considering today?

17 The Speaker: Representative Leek.

18 Tom Leek: Thank you, Mr. Speaker. 18, and 18.

19 The Speaker: Representative Davis.

20 Tracie Davis: Thank you, Mr. Speaker. Could you please identify both by reference to the
21 district numbers so we all know what you're talking about.

22 The Speaker: Representative Leek.

23 Tom Leek: Thank you, Mr. Speaker. Are you asking for a list of the Black protected

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1 Districts?

2 The Speaker: Representative Davis.

3 Tracie Davis: Thank you, Mr. Speaker. Yes, and I'm going to say, are you going to tell
4 me it's in the packet we have on our desk today?

5 The Speaker: I can pretty much assure that, Representative Davis. Representative Davis.

6 Tracie Davis: Thank you, Mr. Speaker. To be absolutely clear, were there any new Black
7 performing districts created.

8 The Speaker: I think that has been asked and answered Representative Davis, but we'll
9 do one more time, Representative Leek.

10 Tom Leek: Thank you, Mr. Speaker. There were 18, there are 18.

11 The Speaker: Representative Davis.

12 Tracie Davis: Thank you, Mr. Speaker. After the 2020 census, we learned over 20% of
13 Floridians identify as Black or African American alone or in some type of combination. So if my
14 math is correct, 17% of 120 seats would be about 20 seats, correct?

15 The Speaker: I don't think he's prepared to do math today, Representative Davis, you are
16 going to have to break it down a little bit. Representative Davis.

17 Tracie Davis: Thank you, Mr. Speaker. I'll continue with the question. How many
18 constitutionally protected minority Black or African American seats are represented in this map
19 today?

20 The Speaker: Representative Leek.

21 Tom Leek: Let me, if I can, thank you Mr. Speaker. So the increase in relative Black
22 population growth is less than a quarter of a percent. The other thing that comes into play here is
23 not the raw numbers of how many more Black people are in the state. The question is where do

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1 they live? Are they in a compact area? I mean are they all living in the same area, or are they
2 spread throughout the state? And what you see before you is now is a representation of the
3 diversity of the state and where people live, right. So the number of Black protected districts has
4 stayed the same, because that's how the population grew.

5 The Speaker: Representative Davis.

6 Tracie Davis: Thank you, Mr. Speaker. Now more specifically about Jacksonville. Would
7 you consider – looking at this map, when you're looking at the districts we are viewing now.
8 Would you consider the St. Johns River a major geographic boundary in Duval County?

9 The Speaker: Representative Leek.

10 Tom Leek: Thank you. I would consider it a major geographic boundary, but I wouldn't
11 consider it the only major geographic boundary, and I wouldn't necessarily say in all instances
12 that we used the major geographic boundary to determine the boundary.

13 The Speaker: Representative Davis.

14 Tracie Davis: Quickly coming to a close, thank you, Mr. Speaker. In this current plan
15 8013, we have two districts that cross the St. Johns River, which is a major geographic boundary,
16 as you have agreed too. Have you looked at whether it's a possibility that we cross the river in no
17 districts only, or only one of those districts crossed the St. Johns River, without diminishing the
18 Black voters' ability to elect in Districts 13 and 14.

19 The Speaker: Representative Leek.

20 Tom Leek: Thank you, Mr. Speaker. And there are Black protected districts there, so the
21 configuration you have before you is the one that we determined was most able to ensure that
22 that minority population was able to elect the candidate of their choice.

23 The Speaker: Representative Davis.

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1 Tracie Davis: Thank you, Mr. Speaker, I conclude.

2 The Speaker: Thank you. Representative Willhite.

3 Matt Willhite: Thank you, Mr. Speaker. I would like to yield the floor to the member of
4 the 49th District, Representative Smith.

5 The Speaker: Representative Smith, you are recognized.

6 Carlos Smith: Thank you, Mr. Speaker. And thank you Chair Leek for your indulgence. I
7 want to have a dialogue here and got some questions here about the impact on Hispanic or Latino
8 districts. So just giving a or getting a statewide view, how many Hispanic or Latino benchmark
9 districts are there in the plan and if you could kind of help me figure out where those are, both by
10 reference and district numbers that would be helpful too in sorting through this.

11 The Speaker: Representative Leek.

12 Tom Leek: Thank you, Mr. Speaker. There were 12, there are 12 and they are specifically
13 in the packet of information that you have.

14 The Speaker: Representative Smith.

15 Carlos Smith: Thank you, Mr. Speaker. And thank you Chair Leek I'll review the packet
16 in a moment. Not being on the Redistricting Committee there is a lot in here to look through. So
17 I'll find it. To be clear I'm trying to understand were there any new Hispanic or Latino districts
18 created because when we heard the region-by-region presentations I heard things like this is a
19 new Hispanic performing district and I'm trying to conceptualize if any new Hispanic
20 performing districts created statewide.

21 The Speaker: I thought Representative Leek said there were 12, there are 12, is that
22 correct? Do you want to add something to that? You're recognized.

23 Tom Leek: Thank you, Mr. Speaker. I want to start by saying they're all new districts. All

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1 of them are new districts. Now in the state of Florida you saw that the relative growth of Miami-
2 Dade, which grew at a lower rate or lesser rate then the relative growth of Central Florida and the
3 Orlando area. Which means that a minority district, a Hispanic district was created in the
4 Orlando area. So to the extent that answers your question. They're all new, there is one that
5 wasn't there before in the Central Florida area that is now there.

6 The Speaker: Representative Smith.

7 Carlos Smith: Thank you, Mr. Speaker. And thank you for the response Chair Leek and
8 the clarification. So trying to understand how the population increases are factored in here. I
9 understand that after the 2020 census about 26.5% of Floridians now identify as Hispanic or
10 Latino. I am not good at math but 26 and a half percent of 120 districts is 32 House districts.
11 How many of these districts in the map are what we would call constitutionally protected
12 Hispanic or Latino?

13 The Speaker: Representative Leek.

14 Tom Leek: Thank you Mr. Speaker. That answer is still 12.

15 The Speaker: Representative Smith.

16 Carlos Smith: Thank you Mr. Speaker. And thank you for bearing with me Chair Leek.
17 As a representative and advocate, still trying to understand the difference between
18 constitutionally protected and not constitutionally protected so thank you. So, I watched some of
19 the committees and my understanding is there was speculation as to why we went from 12 to 12.
20 And that there was not growth. And the speculation was something along the lines of that there
21 were no new Hispanic or Latino districts created because many of those voters, they moved into,
22 what we would call, currently performing districts. That were numerically enlarged. Is that still
23 the House's explanation for why we went from 12 to 12 with no new Hispanic or Latino

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1 districts?

2 The Speaker: Representative Leek.

3 Tom Leek: Thank you Mr. Speaker. I'll go back again to the answer I gave about new
4 districts. There in fact is a newly created district in Central Florida. One of the districts that was
5 Hispanic protected in Miami-Dade was a no longer performing district. There however was a
6 concentration, and remember we are looking at a number of different things ultimately getting to
7 a functional analysis, which measures performance. So you're looking at Hispanic voting-age
8 population, you looking at turnout, you're looking at voter registrations, you're looking at a
9 number of different things. So, when you get to the end of it, Miami-Dade didn't have one
10 anymore. Central Florida did. So there was a new district in Central Florida.

11 The Speaker: Representative Smith.

12 Carlos Smith: Thank you Mr. Speaker. And thank you Chair Leek for walking me
13 through that. If that's the case, let's say if we had 15 performing districts and each one absorbed
14 well my math says 22,807 Hispanic or Latino voters. That's a total of about 342,000. The state
15 grew its Hispanic or Latino population by about one and a half million. So where did those other
16 Hispanic and Latino districts go if they were not absorbed into those constitutionally protected
17 seats?

18 The Speaker: I think Representative Leek has talked about proportionality and I assume
19 that is the answer again. Representative Smith so I am going to rule that as asked and answered.
20 Do you have additional questions? You're recognized.

21 Carlos Smith: Thank you Mr. Speaker. I appreciate the opportunity to try to go about this
22 a different way. What is the lowest cutoff I suppose for the HVAP score Hispanic performing
23 districts? Which – in the packet, which score, should we look at to identify those 12 districts?

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1 The Speaker: Representative Leek.

2 Tom Leek: Thank you, Mr. Speaker. I'm not sure I understand the second part of the
3 question. I think I do understand the first part of the question. And the error here is trying to pull
4 one factor away from all of the others, like HVAP. So we can tell you generally that you need to
5 get about 65% of Hispanics concentrated within an area for it to perform. Generally. There is no
6 threshold and it is a district-by-district analysis that is ultimately determined based on the
7 performance of that district.

8 The Speaker: Representative Smith.

9 Carlos Smith: Thank you Mr. Speaker. And thank you for the clarification Chair Leek.
10 Many of these concepts are ones that I'm not very familiar with or an expert. So bear with me. I
11 guess the last question I have, I'm bringing this in for a landing here, is I'm trying to understand
12 the assertion and the House's position on the map. Which is, as I understand it if you can clarify
13 or correct me if I'm wrong. That there's no sufficiently numerous or sufficiently concentrated
14 Hispanic and Latino population to constitute a majority in a single-member district that would
15 have created a plus one to the 12. Or an increase in any way. Is that how I should understand it?

16 The Speaker: Representative Leek.

17 Tom Leek: Thank you Mr. Speaker. I think your premise is incorrect. Alright, there was
18 and that's how we ended up with an additional Hispanic protected district in Central Florida.
19 Equally, that number can go down. So you may – we lost a Hispanic protected district in Miami-
20 Dade. But there was warranted in Central Florida. That's why the number was 12 before and is
21 12 now.

22 The Speaker: Representative Smith.

23 Carlos Smith: Thank you Mr. Speaker. Again, I appreciate it and Chair Leek. So I guess

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1 for clarification. I'm hoping you can help me understand where some of these Hispanic and
2 Latino populations are located. Is there a legal or statistical test that was utilized. That would, I
3 suppose, help the House determine that the creation of a majority-minority district was not
4 required or new majority-minority district was not required either under the state constitution or
5 the Voting Rights Act.

6 The Speaker: Representative Leek.

7 Tom Leek: Thank you Mr. Speaker. I'll say again. A new one was created. I think what
8 you are struggling with is the fact that one was also lost. And the only reason you had 12 before
9 and 12 now, is because even though one was lost another one was created.

10 The Speaker: Speaker Smith.

11 Carlos Smith: Thank you Mr. Chair I yield.

12 The Speaker: Representative Willhite.

13 Matt Willhite: Thank you Mr. Speaker. I yield the floor to a member of the 67th District,
14 Representative Valdés.

15 The Speaker: Representative Valdés, you are recognized.

16 Susan Valdés: Thank you, Mr. Speaker and Chair Leek, thank you. This has been a very
17 interesting process, so I'm learning along with everyone else here. Is it a requirement that the
18 minority group vote cohesively before one starts looking at dilution?

19 The Speaker: Representative Leek.

20 Tom Leek: Thank you, Mr. Speaker. I'll do the best I can here. I think we might be
21 mixing some legal concepts here. But in the end, there is a functional analysis that tells you
22 performance. And that's where the decision is made on whether to protect a district or it's no
23 longer a protected district.

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1 The Speaker: Representative Valdés.

2 Susan Valdés: Thank you, Mr. Speaker. So is that – what you are describing is what
3 happened to the district that that Rep. Guillermo Smith was talking about?

4 The Speaker: Talking about the Central Florida district or the South Florida district?

5 Susan Valdés: Mm-hm. South Florida district.

6 The Speaker: Representative Leek.

7 Tom Leek: I'm sorry, could you restate the question?

8 The Speaker: Representative Valdés.

9 Susan Valdés: Thank you Mr. Chair, just wondering in reference to the district down
10 south that was not performing, is that how we came to that conclusion? Through that analysis?

11 The Speaker: Representative Leek.

12 Tom Leek: Thank you, Mr. Speaker. Let me go back. Remember we're looking at
13 population shifts and concentrations. And so there is not a single factor that determined it was no
14 longer was performing but the outcome we know was that that district was no longer performing.
15 You can look at population shifts, you can look at registrations, you can look at turnout and all of
16 those factors go into whether a district is performing and the district that was there before. So
17 let's go back to one of the basic elements here. Roughly, we have 179,000 people per district. So
18 we're always spreading the population across the state. Because the relative growth of Miami-
19 Dade was less than that of Central Florida, that population concentration changed and moved.
20 Does that make sense to you?

21 The Speaker: Representative Valdés.

22 Susan Valdés: Thank you, Mr. Speaker. Is it a requirement that the minority group vote
23 cohesively before considering retrogression?

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1 The Speaker: Representative Leek.

2 Tom Leek: Thank you, Mr. Speaker. I'm going to try to do this. You don't know the
3 answer to any of those until you perform the functional analysis, right. And so cohesion is part of
4 a functional analysis. You know, just because the majority-minority district is predominantly
5 Hispanic doesn't mean that every Hispanic votes in the same way. So that may not be cohesive.
6 It nonetheless may perform, right. So that's one of the factors, but not the only factor.

7 The Speaker: Representative Valdés.

8 Susan Valdés: Thank you, Mr. Speaker. Has the committee or map drafters
9 commissioned or relied upon any other reports, studies that were addressing the minority voting
10 cohesion and racially polarized voting?

11 The Speaker: I believe that's been asked and answered, Representative Valdés. Do you
12 have additional questions?

13 Susan Valdés: Thank you, Mr. Speaker. I guess more specifically, was there a report or
14 another type of study done on how cohesively the Latino or Hispanic electorate in South Florida
15 votes?

16 The Speaker: While worded slightly differently, Representative Valdés, that's asked and
17 answered as well. Do you have any additional questions?

18 Susan Valdés: Thank you, Mr. Speaker. Was there a report done studying how much
19 cohesion is present among the Black electorate anywhere in this state and what was the
20 conclusion of the study if it was done?

21 The Speaker: That's also been answered Representative Valdés. Representative Willhite.

22 Matt Willhite: Thank you Mr. Speaker. I would like to yield the floor to the member from
23 the 86th District, Representative Skidmore.

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1 The Speaker: Representative Skidmore, you are recognized.

2 Kelly Skidmore: Thank you, Mr. Speaker. Thank you, Chair Leek. Going to Palm Beach
3 County, specifically District 88. It's a very oddly shaped district. Would it be something that
4 would be considered noncompact?

5 The Speaker: Representative Leek.

6 Tom Leek: Thank you, Mr. Speaker. The answer to your question is very similar to the
7 question that has been asked by a number of others. Compactness is part of the analysis, but not
8 the only part of the analysis, and so compactness scores can vary from district to district. But you
9 have to factor in all of the other factors as well to determine whether it is a legally compliant
10 district.

11 The Speaker: Representative Skidmore.

12 Kelly Skidmore: Thank you, Mr. Speaker. Thank you for your response. District 88 is a
13 little more unusual than the other districts though. And there is an appendage, a tail to it in Royal
14 Palm Beach, so is that a regular shape?

15 The Speaker: Representative Leek.

16 Tom Leek: Thank you, Mr. Speaker. That particular district is a protected Black district
17 and so with a protected Black district, remember, we are predominantly relying on Tier One
18 standards there and compactness or the eyeball test is secondary. We are mostly focused on Tier
19 One there.

20 The Speaker: Representative Skidmore.

21 Kelly Skidmore: Thank you, Mr. Speaker. So based on that, was there any other versions
22 of District 88 without the appendage that would maintain that Black ability-to-elect that were
23 considered? And if you lost that appendage and kept Royal Palm Beach whole?

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1 The Speaker: Representative Leek.

2 Tom Leek: Thank you, Mr. Speaker. The only ones that were considered were the ones
3 that you've seen and been published to you, drafts vetted through the committee.

4 The Speaker: Representative Skidmore.

5 Kelly Skidmore: Thank you, Mr. Speaker. Thank you, Chair. Would this District 88
6 comply with Tier One without the appendage?

7 The Speaker: Representative Leek.

8 Tom Leek: Thank you, Mr. Speaker. It's hard to answer that question because the district
9 that you see and the shape that you see, it is purposefully drawn to represent the population
10 necessary within Tier One standards. So what you have in front of you is the Tier One variation
11 of that district.

12 The Speaker: Representative Skidmore.

13 Kelly Skidmore: Thank you, Mr. Speaker. I ask the question because when we did get the
14 explanation of all the districts, the Tier Two criteria were reinforced over and over again that we
15 kept cities whole, we kept counties whole, we used this line, we used that line. So I'm curious,
16 you know, specifically in my county. Did you do an analysis on District 88 that could still
17 maintain the Black ability-to-elect without the appendages and the city splits?

18 The Speaker: Representative Leek.

19 Tom Leek: Thank you, Mr. Speaker. I'll point out that the district that you're looking at
20 now is the more compact version than the one that was – excuse me, in the benchmark district, in
21 the benchmark map, right. So what you have before you is the one that I can tell you for certain,
22 if your primary concern, as it should be, is Tier One compliance, is Tier One compliance. Tier
23 Two is Tier Two for a reason. So when it's a protected district, we focus much less on Tier Two.

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1 The Speaker: Representative Willhite.

2 Matt Willhite: Thank you Mr. Speaker. I yield the floor to the member from the 43rd
3 District, Representative Arrington.

4 The Speaker: Representative Arrington, you are recognized.

5 Kristen Arrington: Thank you Mr. Speaker. Good evening Chairman Leek. Are there any
6 minority access seats where the minority members constitute less than 50% of the population?

7 The Speaker: Representative Leek.

8 Tom Leek: Thank you Mr. Speaker. Yes.

9 The Speaker: Representative Arrington.

10 Kristen Arrington: Thank you Mr. Speaker. And then can you also, can you demonstrate
11 then for us how those districts perform under the functional analysis for all these such minority
12 districts in the House maps?

13 The Speaker: Representative Leek.

14 Tom Leek: Thank you Mr. Speaker. I can't as I stand here but it is right in your packet. If
15 you go to the back, you can see how they perform.

16 The Speaker: Representative Arrington.

17 Kristen Arrington: Thank you Mr. Speaker. Chairman Leek I might have the same
18 response then to this next question. In the districts where the minority voters have been packed
19 together at a rate greater than 50% of the population can you explain why this decision was made
20 in drawing districts in light of caselaw indicating the effective control of a district is sufficient as
21 opposed to the pure numeric majority.

22 The Speaker: Representative Leek.

23 Tom Leek: Thank you Mr. Speaker. There are no districts in which they were packed in a

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1 legal sense, okay. So I mean, let's dismiss with that premise. Again, it's the functional analysis.
2 Sometimes for a protected district, you can have a BVAP of 29%, sometimes to have a
3 performing district you have to have an HVAP of 65%. So it's a district-by-district analysis.
4 There is no threshold or bright-line rule.

5 The Speaker: Representative Arrington.

6 Kristen Arrington: Thank you Mr. Speaker. And last one then in regards to that because
7 I'm looking like, let's say Central Florida area, District 43, 46, and 47. Those districts are closer
8 to the 60% in minority where the others that we are talking about are 30%. I'm just trying to
9 figure out why it's different for each one.

10 The Speaker: Representative Leek.

11 Tom Leek: Thank you Mr. Speaker. Because that's how that district performs. So in
12 some instances 29% of a – a BVAP of 29% is sufficient for the district to perform, right. And
13 that's all it takes, just the 29%, but it could be entirely different. Another BVAP may have to be
14 40%, or 50%. You know, some of the HVAPs are 65%. It's completely a district-by-district
15 analysis and it's based on the performance.

16 The Speaker: Representative Arrington.

17 Kristen Arrington: Mr. Speaker, that's it, thank you.

18 The Speaker: Representative Willhite.

19 Matt Willhite: Thank you Mr. Speaker. I would like to yield the floor to representative
20 from the 47th District, Representative Eskamani.

21 The Speaker: Representative Eskamani, you are recognized.

22 Anna Eskamani: Thank you so much, Mr. Speaker. Hi, Chair Leek, great to see you. I'll
23 be super brief with my questions. I apologize this question is naive. I was not in any of the

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1 redistricting committees, but could you provide us with a context of how the functional analysis
2 is calculated. It might be an elementary question but it would be helpful for me.

3 The Speaker: Representative Leek.

4 Tom Leek: Thank you, there are component parts. Voting-age population, registration,
5 turnout, and election results.

6 The Speaker: Representative Eskamani.

7 Anna Eskamani: Thank you Mr. Speaker. And thanks for that Chair I appreciate that. So
8 using the functional analysis, my assumption is that that's how you used to calculate the
9 protected seats. Did you give any weight to one of those variables more than others or just did
10 the math and used one number to dictate it.

11 The Speaker: Representative Leek.

12 Tom Leek: Thank you, remember functional analysis measures an outcome so the
13 outcome is the ultimate determiner. But those are each of the components that go into that
14 functional analysis. Not one more than another. Those are each one of the components that we
15 look at to see how it ultimately performs.

16 The Speaker: Representative Eskamani.

17 Anna Eskamani: Thank you so much, Mr. Speaker. And my assumption is all those
18 variables, all that data is publicly available and can other folks calculate that same functional
19 analysis and get to a similar outcome?

20 The Speaker: Representative Leek.

21 Tom Leek: Thank you Mr. Speaker. Yes, that's in your packet.

22 The Speaker: Representative Eskamani.

23 Anna Eskamani: Thank you so much. Shifting gears just a little bit Mr. Speaker. I know

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1 members in the minority caucus have brought this up in the committee around the role that
2 prison populations have played in the map drawing process. So I am wondering if you can add
3 did this final map take into consideration some of those concerns prison population densities and
4 the populations of those, you know, of the prison community as well.

5 The Speaker: Representative Leek.

6 Tom Leek: Thank you Mr. Speaker. I think I know the question you are asking and
7 remember in the state of Florida, by law, we are required to use the census data. Which measures
8 where a person resides where a person resides on a day that that data is collected. In this
9 instance, the prisoners who resided in prison on that day were counted as a constituent of that
10 district.

11 The Speaker: Representative Eskamani.

12 Anna Eskamani: Thank you Mr. Speaker. Thanks for that Chair. With that answer just so
13 I'm clear, the BVAP and the HVAP data do not integrate and include prison population
14 demographics is that accurate?

15 The Speaker: Representative Leek.

16 Tom Leek: Thank you Mr. Speaker. I don't think that is accurate. That information would
17 be included in the district in which they reside.

18 The Speaker: Representative Eskamani.

19 Anna Eskamani: Thank you Mr. Speaker. So even though they cannot vote they are still
20 included included in that calculation per district?

21 The Speaker: Representative Leek.

22 Tom Leek: Thank you Mr. Speaker. Yeah, and that is precisely why you have to look at
23 the other factors, registered voters, election turnout, et cetera.

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1 The Speaker: Representative Eskamani

2 Anna Eskamani: Thank you so much, Mr. Speaker. Shifting gears a little bit then does
3 our map in front of us consider some of those other geographical concentrations that were
4 alluded to earlier but just globally speaking, racial or language minorities that could affect the
5 outcome of an election that did not exist 10-years ago. So any new languages or other changes in
6 the population shifts that could be included today that we didn't see 10-years ago.

7 The Speaker: Representative Eskamani I believe that one has been asked and answered.
8 Do you have additional questions? You're recognized.

9 Anna Eskamani: Thank you Mr. Speaker. Does this map consider any of the federal
10 standards for Vote dilution in crafting districts that were affecting minority populations, i.e.
11 things like packing or cracking.

12 The Speaker: Representative Leek.

13 Tom Leek: Thank you Mr. Speaker. Yes, the maps are legally compliant and to become
14 legally compliant we had to consider all federal and state law.

15 The Speaker: Representative Eskamani.

16 Anna Eskamani: Thank you so much Mr. Speaker. Then which districts contain the
17 highest concentration of minority voters and what were those percentages.

18 The Speaker: Is it in the packet, Representative Leek?

19 Tom Leek: Mr. Speaker, it's in the packet.

20 The Speaker: Representative Eskamani.

21 Anna Eskamani: Those are all my questions thank you Mr. Speaker.

22 The Speaker: Thank you. Members I will recognize Representative Willhite for questions
23 for the minority party. If there are questions for members of the majority party, just put up your

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1 microphone. I am just using it at the request of the minority party but certainly, if other members
2 have questions just raise your microphone so you can be recognized. Representative Willhite.

3 Matt Willhite: Thank you Mr. Speaker. I'd actually like to ask a question myself, if you
4 don't mind, of Chair Leek.

5 The Speaker: We're not going to allow that, Representative Willhite.

6 Matt Willhite: Oh, okay.

7 The Speaker: Any additional questions members? Representative Willhite you are
8 recognized.

9 Matt Willhite: Thank you Mr. Speaker. Chair Leek I want to go back to Representative
10 Skidmore's question about District 88. That little tail as she called it, that is now in the new 93 is
11 a development that is about 20% built. I'd like to understand how, if there is not a population in
12 that district, you're telling us that it needs to be in the Tier One to assist District 88. How do we,
13 if it's not developed, how are we associating for a need in a district?

14 The Speaker: Representative Leek.

15 Tom Leek: Thank you Mr. Speaker. Remember we are starting with a Tier One compliant
16 protected district, right. Then we have to assign every census block out there one way or another.

17 The Speaker: Representative Willhite.

18 Matt Willhite: Thank you Mr. Speaker. And so I understand where you are going with the
19 Tier One to protect that, but cutting off and that line that goes all the way through top of 93 is an
20 easy demarcation line because it's Southern Boulevard. And so if it's not built, how are you
21 adding anything to another Tier One district by cutting it down south of that large demarcation
22 line?

23 The Speaker: Representative Leek.

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1 Tom Leek: Thank you Mr. Speaker. And I'm going to remind everyone again. If you
2 have any very specific questions about why a line was put here and not there I could tell you
3 there must have been population within the census block and to even out the population as much
4 as necessary that was deemed to be necessary to include in one district over another. If you want
5 the specifics on that particular census block data, I'm afraid that's something I'm going to have
6 to ask you to get with Mr. Langan on.

7 The Speaker: Representative Willhite.

8 Matt Willhite: Thank you Mr. Speaker. And at your indulgence, you offered, I would ask
9 that we could yield some more time back to Representative Joseph from the 108th District.

10 The Speaker: Representative Willhite are you out of members? The only reason I ask that
11 is I'm happy to recognize Representative Joseph, however I want to make sure we are cycling
12 through all the other members cause once we wrap up with the folks who have asked second
13 questions I suspect we are going to conclude. So do you have other members who have not asked
14 questions yet who would like to be recognized? You're recognized.

15 Matt Willhite: Yes, sir I have one. Representative Williams from the 92nd District.

16 The Speaker: Representative Williams, you are recognized.

17 Patricia Williams: Thank you Mr. Speaker. Rep. Leek, Chair Leek, when you spoke of
18 Coral Gables you stated that you need to keep it whole. What qualified that as being kept whole
19 and why?

20 The Speaker: Representative Leek.

21 Tom Leek: Thank you Mr. Speaker. I'm sorry could you restate your question I don't
22 understand.

23 The Speaker: Representative Williams.

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1 Patricia Williams: Earlier you spoke of Coral Gables and you needed to keep that whole.
2 Can you tell me what qualifies keeping that whole and why?

3 The Speaker: Representative Leek.

4 Tom Leek: Thank you Mr. Speaker. And Representative, I will defer to Chair Byrd if
5 necessary. But what qualifies as keeping it whole, assuming that the city is, in fact, contiguous
6 itself. I don't know whether Coral Gables is or not. I know that many cities are not contiguous.
7 So the effort in that particular district was to keep the cities whole and I guess I don't understand
8 the question, it's either whole or it's not. If the question is why it's not whole, I think that's
9 different. But in this instance I think it's –

10 The Speaker: Representative Williams.

11 Patricia Williams: Thank you Mr. Speaker. When you spoke of Coral Gables earlier, you
12 said that you needed to keep it whole. I'm asking why would you have to keep it whole and not
13 some of the other cities that has been split or separated or not kept whole.

14 The Speaker: Representative Leek.

15 Tom Leek: Thank you Mr. Speaker. I can answer that question generally. Recall at the
16 outset we by more than 50% reduced the number of cities that were split from the benchmark
17 map. So we put emphasis on keeping cities whole where we could. However, on some instances
18 you can't keep a city whole. It may be because – I don't know if we have any cities where the
19 population is too great, but it may be that the city population is too great, or it may be that the
20 population concentration requires that it be divided. But it's not possible to keep cities whole in
21 every instance. Where we could keep cities whole, we did.

22 The Speaker: Representative Williams.

23 Patricia Williams: Speaking of the minority population where it is actually split. Some of

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1 the things that you said was taken in consideration, you stated that it was in the package. But I
2 was not one of them that had the opportunity to work on the Redistricting Committee.
3 Understanding what's in the package as of now is not answering the question that would actually
4 clarify me enough to be able to vote on the maps itself. I'm trying to understand when you are –
5 the minority area, where they are split, what decision – how did you come up with those
6 decisions when you were separating minority communities?

7 The Speaker: Representative Leek.

8 Tom Leek: Thank you, and Rep., one, I am very encouraged that we have a chance to
9 earn your vote today. But two, I can't answer that question generally or broadly as to every
10 district where a city was split. I can tell you that race was never the predominant factor in
11 drawing a district, outside of protecting the protected districts.

12 The Speaker: Representative Williams.

13 Patricia Williams: Thank you Mr. Speaker.

14 The Speaker: Before I recognize Representative Willhite, any additional questions from
15 the majority party? Alright, seeing none, Representative Willhite, I believe we've discussed here
16 now are going to cycle through a couple of individuals who have already asked previous
17 questions and at the conclusion of that we are going to conclude. You are recognized.

18 Matt Willhite: Yes, sir, Mr. Speaker we have Representative Joseph and then
19 Representative Driskell and that will conclude the minority party's time.

20 The Speaker: Thank you, Representative Joseph, you are recognized.

21 Dotie Joseph: Thank you Mr. Speaker. In response to some of the questions earlier, you
22 had made reference to a functional analysis that was performed for the Hispanic community. Did
23 that analysis take into account cohesion within various ethnicities within the Hispanic

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1 community based on national origin?

2 The Speaker: That's asked and answered, Representative Joseph. You have additional
3 questions?

4 Dotie Joseph: Alright, getting back to Black people. The consideration of racial
5 minorities is a Tier One criteria. You said that the performance data was taken into account for
6 30 of the districts that we have in our packet, correct?

7 The Speaker: I didn't really hear that question Representative Leek, hopefully you did.
8 You are recognized.

9 Tom Leek: Thank you, all protected districts had a functional analysis.

10 The Speaker: Representative Joseph.

11 Dotie Joseph: Thank you, Mr. Speaker. And those protected districts were based on the
12 2010 benchmarks, is that correct?

13 The Speaker: Representative Leek.

14 Tom Leek: Thank you, Mr. Speaker. 2010 maps with 2020 population. So that's how you
15 become a benchmark, right, because you go to the prior map. But understand, the population
16 used in that analysis is a 2020 census data population.

17 The Speaker: Representative Joseph.

18 Dotie Joseph: Thank you Mr. Speaker. With that analysis that was performed, can you
19 tell us what analysis was performed specifically in the other 90 districts as it relates to the
20 performance data focusing on racial minorities.

21 The Speaker: Representative Leek.

22 Tom Leek: Thank you, Mr. Speaker. We've gone down this road before and we
23 performed a functional analysis in every protected district in the variations of that protected

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1 district that may have been considered. We did not perform a functional analysis on the non-
2 protected districts.

3 The Speaker: Representative Joseph, you are recognized.

4 Dotie Joseph: Thank you, so you said it was not performed in the other 90 districts? Did I
5 miss that?

6 The Speaker: Representative Leek.

7 Tom Leek: Yeah, I rely specifically on my prior answer, but roughly yes.

8 The Speaker: Representative Joseph.

9 Dotie Joseph: Thank you. Do you know standing here today whether or not that analysis
10 was or was not performed by the outside counsel that you referenced earlier?

11 The Speaker: I think that's asked and answered from earlier, Representative Joseph. Do
12 you have additional questions?

13 Dotie Joseph: Yes, yes Mr. Speaker.

14 The Speaker: You're recognized.

15 Dotie Joseph: Just for the benefit, because I don't think I caught the answer to that
16 question. I know it may have been asked and answered. I did not get the answer because it ties
17 into some other questions that I have.

18 The Speaker: Okay. Representative Leek.

19 Dotie Joseph: Thank you.

20 Tom Leek: Thank you, Mr. Speaker. Staff performs the functional analysis.

21 The Speaker: Representative Joseph.

22 Dotie Joseph: Thank you, because I thought earlier you said staff didn't perform the
23 kinds of analysis that I went through and that it was performed by outside counsel. So is there

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1 some analysis that staff performs as it relates to racial minority performance data and some that
2 outside counsel do? If so, can you delineate which ones, who does what?

3 The Speaker: Representative Leek.

4 Tom Leek: Let me try. The analyses that you were talking about earlier are two- and
5 three-levels deep analyses. Functional analysis is a staff level analysis.

6 The Speaker: Representative Joseph.

7 Dotie Joseph: Thank you, Mr. Speaker. And thank you for the clarification, Chair Leek.
8 So in terms of the performance data, so that we know how these other – how minorities are
9 performing in these other districts. I guess really what I’m trying to get at is – or try to identify is
10 how do we know that an additional protected minority district could not have been created if that
11 performance analysis was not conducted in the other 90 out of 120 districts?

12 The Speaker: Representative Leek.

13 Tom Leek: Okay just to be clear here. Functional analysis is of protected districts. It is
14 not required, legally or anyway you cut it in any other district. And let me go back to a Tier One
15 standard too. Remember that performance analysis gets partisan and you can’t draw a district to
16 favor or disfavor a political party. So there is a very significant risk in having that information
17 you are talking about.

18 The Speaker: Representative Joseph.

19 Dotie Joseph: Thank you Mr. Speaker. So your position is that the performance analysis
20 was not conducted in the other 90 districts of the population growth specifically within the Black
21 community did you look at where that population growth was within other 90 districts to see if
22 there was a potential to create additional minority district based on just that data?

23 The Speaker: Representative Leek.

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1 Tom Leek: Thank you Mr. Speaker. And recall that the relative population growth of the
2 Black community was less than a quarter of a percent. The census level data gives us what's on
3 it, which would include race.

4 The Speaker: Representative Joseph, you are recognized.

5 Dotie Joseph: Thank you Mr. Speaker. I understand that your position is that the overall
6 growth was less than a quarter of a percent, but it would be important to know if that less than a
7 quarter of a percent was concentrated in one or two districts, which would make a difference. So
8 my question for you is was an analysis made as far as the concentration of whatever that growth
9 was within the Black community or within the Hispanic community, as to where the growth was
10 and whether there was a possibility to create an additional minority access, not minority
11 protected district, but a minority access district. The reason I ask you this today is did ask staff, I
12 sat down with staff at least as it relates to the congressional maps and the House maps and to
13 date, I confirmed with my staff, I still have not got an answer.

14 The Speaker: Representative Leek.

15 Tom Leek: Thank you. The information you are talking about is included in the census
16 data and is part of the analysis when you get to a functional analysis. And let me say this. I don't
17 think it's fair to say you haven't gotten an answer. It may not be the answer you intended or an
18 answer that you liked. But I'm confident that we have answered every question that was given to
19 us.

20 The Speaker: Representative Joseph.

21 Dotie Joseph: Thank you Mr. Speaker. I understand me saying that I didn't get an answer
22 might be uncomfortable, but the reality is I literally didn't get an answer. So my question to staff
23 was, how do we know that we cannot create an additional minority district in looking at it?

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1 Initially I was just focused on South Florida because you talked about the protected districts that
2 were the same ones based on the benchmark from 2010 and I understand your response to
3 Representative Thompson's question of laying over the population data from the 2020 census.
4 That's all good and well. My question is focused on trying to see if there was a possibility on
5 being an 11th or 12th additional district that may have been protected. But I don't have the data
6 to identify what locations those are in. Regardless of how small that overall number may have
7 been. So I guess the question is, how do you know or do you not know whether that's from staff
8 or, and my questions redirected to staff. I didn't have access to outside counsel. So if you had
9 that information and you had those discussions with counsel I would love to know about that.

10 The Speaker: Representative Leek.

11 Tom Leek: Thank you Mr. Speaker. Let me see if I can unwind that a little bit. The
12 analysis that you are talking about the functional analysis, and the information that you are
13 talking about is information included in the census data. Just like in the newly created Hispanic
14 district in Central Florida, that information, you look at the population concentrations and you
15 look to see if it's a possibility, right. And if it's not a possibility, you stop the analysis. So for
16 instance if it's a BVAP of 6%, you're not going to perform a functional analysis because, it's got
17 no way of performing it, right. So, the answer to your question is yes. All of that is looked at.

18 The Speaker: Representative Joseph, you are recognized.

19 Dotie Joseph: Thank you Mr. Speaker. So what was the cut off for identifying whether
20 there was a possibility of creating either a Hispanic or Black district? What number was used to
21 cut off that analysis?

22 The Speaker: Representative Leek.

23 Tom Leek: Thank you Mr. Speaker. And here again, we are going to retread some

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1 ground. There is no specific threshold or specific cutoff. What we know statistically is that there
2 has been a Black performing district at 29%. What we know statistically is that the Hispanic
3 performing districts are typically 65%, or somewhere in that range. But if they are nowhere near
4 it, you know that you don't have to perform that analysis.

5 The Speaker: Representative Joseph.

6 Dotie Joseph: Thank you Mr. Speaker. So for Hispanic minority districts to be considered
7 it needed to be around the 60 something percent threshold before you would even look at
8 creating a new district?

9 The Speaker: Representative Leek.

10 Tom Leek: Thank you Mr. Speaker. It is an indicator, it's not the only indicator. So you
11 combine that with the rest of the census data. We can tell that a number of Hispanics have moved
12 to the Central Florida area. That is information we have. Now you can start to look to see if that
13 district is going to perform and we go through that same functional analysis using those same
14 components I walked through before.

15 The Speaker: Representative Joseph.

16 Dotie Joseph: Thank you Mr. Speaker. Who was this outside counsel that we keep
17 referring to?

18 The Speaker: Representative Leek.

19 Tom Leek: Thank you, actually I think I've only referred to him once in response to your
20 questions. And what is his name? Thank you Mr. Speaker. Recall that it's Gray Robinson. It's on
21 the House website and they presented in the committee.

22 The Speaker: Representative Joseph.

23 Dotie Joseph: Thank you Mr. Speaker. Was it always Gray Robinson or at some point

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1 were other counsel considered and consulted with respect to the maps that we are going to be
2 voting on other than Gray Robinson.

3 The Speaker: I think we're getting far afield Representative Joseph. All of that is
4 available to the public on the website. Do you have any additional questions about the map? I
5 know that Representative Leek referenced that a number of times so he was happy to clarify, but
6 let's get back to the substance of the bill. You're recognized

7 Dotie Joseph: Thank you Mr. Speaker. I do think it's germane just to make sure we that
8 we have everybody on the record because the record that he just identified was that it was Gray
9 Robinson and that's fine and if there are no other counsel then the answers –

10 The Speaker: Representative Joseph, it's publicly reported on the website. Those
11 individuals also testified publicly in a recorded meeting in the Florida House. You have
12 additional questions about the map? Representative Joseph.

13 Dotie Joseph: Thank you Mr. Speaker. For your indulgence. The actual law protects both
14 racial minorities and language minorities, which we already covered but specifically it included
15 Haitian Creole and the last decade the Florida Legislature actually created the Haitian population
16 in South Florida as protected. We talked about the language component earlier but now I'm
17 specifically talking about that population and the Legislature then even provided percentages of
18 the Haitian population in each district. Something that redistricting staff has chosen not to do this
19 time. So outside of just the language component but in terms of identifying people because for
20 the first time this last census included a question that allowed people to identify national origin.
21 Can you tell us how if at all that was considered this go around.

22 The Speaker: Representative Leek.

23 Tom Leek: Okay, that's a lot for me to digest in there. The information you are talking

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1 about is actually not part of the census data that is used for redistricting it's just, it's not the
2 redistricting set. Now we have protected Haitian Creole speaking in Districts 107 and 108. But
3 that is gleaned through member input.

4 The Speaker: Representative Joseph.

5 Dotie Joseph: Hi, thank you Mr. Speaker. So my follow-up question is outside of District
6 108 and outside of, you said 107 and 108? Yeah, 107 and 108, how do we know that there was
7 not a significant enough Haitian population outside of those districts that could have been drawn
8 using the benchmarks that you gave earlier for Black people around the 20 something percent
9 range.

10 The Speaker: Representative Leek.

11 Tom Leek: Thank you. I'll say again, that information, that data, is not part of the
12 redistricting set. It's also not information that's collected by the Florida Division of Elections. So
13 we don't have the Haitian Creole information you are talking about other than through member
14 input, which we have received and acted on.

15 The Speaker: Representative Joseph.

16 Dotie Joseph: Thank you, I think this will be my last question. Other states also have
17 language minorities and somehow many of them have figured out a way to factor that into their
18 redistricting. What if any efforts remain either by staff or outside counsel to approximate
19 whether it's language minorities based on Haitian Creole or various Asian languages that we
20 have outside of Spanish or including Spanish. What efforts were made in light of not wanting to
21 consider the ACS data, what if any efforts were made to look at other alternatives to identifying
22 and protecting these language minorities.

23 The Speaker: Representative Joseph that issue has been addressed both with your

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1 questioning as well as with Representative Woodson's. Representative Joseph, you have an
2 additional question?

3 Dotie Joseph: Thank you, I think the response to that question was a different question
4 last time and that question was –

5 The Speaker: Representative Joseph, there has been numerous responses to that question
6 and in numerous different fashions. It has been asked and answered.

7 Dotie Joseph: Thank you Mr. Speaker.

8 The Speaker: Yes, ma'am. Representative Willhite, I understand you would like to
9 recognize Representative Driskell. Representative Driskell, you are recognized.

10 Fentrice Driskell: Thank you Mr. Speaker. Chair Leek is it that page 4 of the packet
11 where the minority access districts are? The 30 minority districts that we've been talking about
12 today.

13 The Speaker: Representative Leek.

14 Tom Leek: Thank you Mr. Speaker, yes.

15 The Speaker: Representative Driskell.

16 Fentrice Driskell: Thank you Mr. Speaker. So I wanted to clarify because I see that there
17 are 30 districts there but it looks like you take just the, let's say for example, the proposed HVAP
18 and the proposed BVAP, there are some where both have high voting-age populations. So my
19 question is whether we could, you could identify for us, which are the Black access districts, and
20 which are the Hispanic access districts on page 4.

21 The Speaker: Representative Leek.

22 Tom Leek: Thank you Mr. Speaker. That list is in front of you are you saying that can't
23 tell which ones are the Hispanic and which ones are the Black protected? I don't know that we

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1 want to take your time to read down the list.

2 The Speaker: Representative Driskell.

3 Fentrice Driskell: Thank you Mr. Speaker. Yes, that's correct and I only ask because part
4 of the conversation we had today, you can't just look at the, let's say HVAP for example, there
5 are other factors you have to consider. But we also mentioned if it's higher than 65% then that's
6 probably a good indicator but then I see that there are some who have voting-age populations
7 below 60%. Maybe the most efficient way to do it would be to identify the Hispanic access
8 districts under this map given that that's the smaller number, then by default, we would have
9 identified the Black as well.

10 The Speaker: Representative Leek.

11 Tom Leek: Thank you Mr. Speaker. And recall that's just a generalization. So the actual
12 number in any district may change and it goes district by district. Okay let me try this. The
13 Hispanic protected districts are District 46, 43, 47, 111, 110, 112, 113, 114, 115, 116, 118, and
14 119. I believe I got them all.

15 The Speaker: Representative Driskell.

16 Fentrice Driskell: Thank you Mr. Speaker. That does add up to 12. I was curious if a
17 minority population can elect candidates of their choice without a majority voting-age
18 population, would we have maintained or created a majority-minority district?

19 The Speaker: Representative Leek.

20 Tom Leek: Thank you Mr. Speaker. I don't entirely understand your question. I would
21 say they are in the same number similar to the benchmark maps. With the entire, remember the
22 discussion about Miami-Dade County and then Central Florida. But I think that's the best I can
23 answer your question.

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1 The Speaker: Representative Driskell.

2 Fentrice Driskell: Thank you Mr. Chair. I'll try to ask that one better, I mean Mr.
3 Speaker. I'll try to ask that one better, Mr. Chair. So in one of the cases we saw a decade ago
4 over redistricting. There was a Tallahassee court that ruled if a minority population can elect
5 candidates of their choice without a majority voting-age population there is no need to maintain
6 or create a majority-minority district. And I guess my question is whether or not in creating the
7 map that we are voting on today we had anything like that happen where there might have been a
8 minority population who could elect a candidate of their choice without a majority voting-age
9 population.

10 The Speaker: Representative Leek.

11 Tom Leek: Thank you Mr. Speaker. And that does happen, for instance, there is I believe
12 a majority-minority Hispanic District 117 in South Florida that actually is a Black performing
13 district. So that does happen and that's why I'm telling you it's a district-by-district analysis.

14 The Speaker: Representative Driskell.

15 Fentrice Driskell: Thank you Mr. Speaker. So when a situation like that occurred such as
16 with seat 117. Who made that decision to determine that we would deem it Hispanic access
17 district?

18 The Speaker: Representative Leek.

19 Tom Leek: Thank you Mr. Speaker. And I don't want us to fall into the trap of confusing
20 population numbers with performance, so it's a majority-minority Hispanic district but it is a
21 Black performing district. So there is not a decision to be made there. There is the fact of the
22 matter is the functional analysis tells us it's a Black performing district.

23 The Speaker: Representative Driskell.

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1 Fentrice Driskell: Thank you Mr. Chair. Were there any other districts like 117? With
2 that situation that we're talking about?

3 The Speaker: Representative Leek.

4 Tom Leek: Thank you Mr. Speaker. Yes, District 103. I'm sorry 109.

5 The Speaker: Representative Driskell.

6 Fentrice Driskell: Thank you, so it sounds like so Districts 109 and 117 were – were you
7 saying that 109 also was Black performing? Yes.

8 The Speaker: Yes.

9 Fentrice Driskell: Okay.

10 The Speaker: Representative Driskell.

11 Fentrice Driskell: Thank you Mr. Speaker. So it's my understanding that – actually I
12 think that might be all my questions. I think that might be.

13 The Speaker: Okay, Representative Willhite.

14 Matt Willhite: Thank you Mr. Speaker. At this time, we yield back the remaining balance
15 of our time.

16 The Speaker: Members, having yielded back the balance of their time. Are there
17 amendments to the amendment?

18 Clerk: None on the desk, Mr. Speaker.

19 The Speaker: Are there substitute amendments?

20 Clerk: None on the desk, Mr. Speaker.

21 The Speaker: Members, we are now going to vote on the amendment. All in favor of
22 adoption of the amendment say yea.

23 Multiple speakers: Yea.

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1	The Speaker: All opposed no.
2	Multiple speakers: No.
3	The Speaker: Show the amendment is adopted. Roll the bill over to third reading. Read
4	the next bill.
5	[03:04:00]



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