

**House Redistricting Committee
October 12, 2021**

Transcript of excerpt of video recording available at:
<https://thefloridachannel.org/videos/10-12-21-house-redistricting-committee/>



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1 Tom Leek: Thank you all. The Redistricting Committee will come to order. DJ please
2 call the roll.

3 DJ: Chair Leek.

4 Tom Leek: Here.

5 DJ: Vice-Chair Fine.

6 Randy Fine: Here.

7 DJ: Ranking Member Geller.

8 Joe Geller: Here.

9 DJ: Representatives Andrade.

10 Alex Andrade: Here.

11 DJ: Avila.

12 Bryan Avila: Here.

13 DJ: Bush.

14 James Bush: Here.

15 DJ: Byrd. Clemons.

16 Charles Clemons: Here.

17 DJ: Drake.

18 Brad Drake: Here.

19 DJ: Driskell

20 Fentrice Driskell: Here.

21 DJ: Goff-Marcil.

22 Joy Goff-Marcil: Here.

23 DJ: Grall.

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1 Erin Grall: Here.

2 DJ: Grant. Grant. Jenne

3 Evan Jenne: Here.

4 DJ: Latvala.

5 Chris Latvala: Here.

6 DJ: Mariano.

7 Amber Mariano: Here.

8 DJ: Omphroy.

9 Anika Omphroy: Here.

10 DJ: Payne.

11 Bobby Payne: Here.

12 DJ: Robinson.

13 Will Robinson: Here.

14 DJ: Rommel.

15 Bob Rommel: Here.

16 DJ: Sirois.

17 Tyler Sirois: Here.

18 DJ: Slosberg.

19 Emily Slosberg-King: Here.

20 DJ: Thompson. Thompson? Tuck.

21 Kaylee Tuck: Here.

22 DJ: Quorum is present Mr. Chair.

23 Tom Leek: Thank you DJ. Members a few reminders before we begin. Please silence all

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1 electronic devices and if you wish to make a public comment please fill out a form and turn it
2 into the sergeant's staff. Also, as a reminder for our members and presenters please ensure that
3 you turn your microphone on when you are speaking and off when you are finished.

4 Members, with this being the second committee meeting I want to remind you again that
5 this is a noteworthy responsibility for our committees to undertake. A thorough educational
6 effort to ensure that everyone has the understanding they need to be able to propose, analyze, and
7 most importantly vote on legally compliant boundaries. Today we will review some new updates
8 that have been rolled out on our website for accessibility and public input, as well as discuss
9 some of our map drawing application's advanced functionality that we discussed last meeting
10 and how those tools can assist us in aligning with our constitutional standards for map drawing.

11 Before we dive into the substance of our meeting, I want to take a moment to address an
12 opinion piece that was published last week. While this piece is truly just two UF professors'
13 opinions, it alleges gross inaccuracies and attempts to cast a dark shadow on the work that this
14 committee is undertaking. I want to take time to correct this on the record today. Especially since
15 these individuals made no attempt to fact check their allegations with our committee first. I know
16 I have received questions and Representative Geller, Ranking Member Geller, I thank you for
17 reaching out to me, I truly do. I know that I have received questions about this piece and do not
18 want any of our members or constituents to wonder whether this process is being conducted
19 above board, as both the Speaker and myself have been very clear from the beginning that this
20 process will follow all laws and the Florida Constitution.

21 The first inaccuracy in this opinion piece is that we are hiding elections data from public
22 view. This could not be further from the truth, as you will see today in our presentation. This
23 elections data is fully accessible within our map drawing application with the intent and purpose

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1 of it being used to conduct a functional analysis. These functional analyses ensure racial and
2 language minority groups' ability to elect a candidate of their choice is not diminished, which is
3 required by the Florida Constitution. As we described during our first committee meeting, our
4 goal was to get a mapping application debuted to members and to the public as soon as we could
5 upon receipt of the redistricting data from the U.S. Census Bureau. Staff continued to work with
6 our vendor to ensure their tool's configuration could correctly display the data needed to conduct
7 a functional analysis. That was updated this past Friday, as that functionality was complete. The
8 article falsely states that we are shielding data from public records requests. We are not shielding
9 public records. This contract is written so that the Legislature maintains the responsibility of
10 responding to and producing public records. Not any vendor or contractor. The article falsely
11 insinuates that the Legislature is using geocoding services. This also could not be further from
12 the truth. There are no geocoding services anywhere within our application and that technology
13 is specifically not being used in order to protect from favoring or disfavoring an incumbent, a
14 constitutional standard we must follow. Members, as we will all come to experience, there are
15 outside entities that will try to impute their own political desires into our process. Resist, and we
16 will not concede to it. I encourage you to remember this situation moving forward as individuals
17 and news outlets that perpetuate these external political narratives aim to harm the integrity of
18 our process and our members.

19 We will now transition to the PowerPoint talking points. Let's get through the agenda.
20 Representative Geller as we discussed, we'll get you some time at the end.

21 Joe Geller: Thank you.

22 Tom Leek: Thank you. Moving into the agenda, members, like I mentioned earlier today
23 we are going to look at some of the new updates to our website as well as some of Esri's

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1 advanced functionality that will help us align with our constitutional standards. As we have been
2 doing, our goal is to continue educating this committee about the standards that will produce
3 legally compliant maps. With that being said, first up let's talk about the floridaredistricting.gov.
4 Members, like we promised during our first committee meeting, as we go through this process
5 and new functionality becomes available, we're going to roll it out publicly as soon as possible.
6 Today we have some new items on our website that we would like to share. Ms. Kelly.

7 Leda Kelly: Thank you, Mr. Chair. Let me get our website pulled up here. So, the first
8 item I wanted to address with the committee today is actually a debut of a new page on our
9 website called Submitted Plans. So as I bring it up here this is the page where all maps that are
10 submitted to the committee will be displayed so that anyone can access them and the reports that
11 are associated with them. A couple of pieces of functionality I want to click through to be able to
12 show our goal of making this very user friendly. First and foremost, are the buttons you see here
13 up at the top. These are the respective maps that are currently enacted. So our House, Senate, and
14 congressional benchmark plans. If you click on those buttons, it pops up the details page that's
15 associated with each of those maps. So you can see here in this chart-like function, there is a lot
16 of the logistical information regarding the map. What you can also see down here are all of the
17 archive records also associated with the map. You are allowed to download those as well as
18 some of the files are available for uploading into the software as well.

19 Going back to the main page, I would like to go scroll down to the body of this webpage.
20 This top section here is the search capability that allows you to search through any of the plans
21 that are on this website. As you can see here, you're allowed to search by plan type so if you're
22 looking for Senate, House, or congressional maps you're also allowed to select from who has
23 submitted the map. So the courts, Senate, public, or House members as well. Currently on here

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1 are only constituent maps that have been submitted, but eventually once the committee or
2 members start submitting maps as well they will also be placed here for the public and members
3 alike to view. You can also search by a plan name, or submitted by, if you happen to know an
4 individual or a specific plan you are looking for. As well as being able to sort by date, name,
5 submitted type, and plan types.

6 So if I continue to scroll down here I'll click on this first plan here. Again, you'll see a
7 similar page with information. One item I would like to point out here is the web map. This is a
8 feature we've added to make these maps very easily accessible. Some of the text files and the dot
9 plan files that are included in the archive section can be downloaded and re-uploaded into your
10 Esri map drawing profile. However, that takes several steps to do and we wanted to make these
11 maps easily accessible for people who are just trying to search through the website. So you can
12 see here this individual's map that was submitted is fully displayed and similar to some of the
13 other functionality in our website whenever you click on a given district it drops down the
14 statistics that are associated with it. Again, it's a great way to get a first look at any map that's
15 supported on the website. You can see here, you can scroll through and also view any that are
16 there as well.

17 Moving on the next page I would like to look at is actually on our Get Involved page. So
18 we've added a couple things to this page. First and foremost, I think hearing the comments from
19 members after our last committee and making sure that this website is as accessible to people as
20 possible. We've added this button here that says Provide Public Input. Whenever you click on
21 this, it allows members of the public and anyone to fill out and provide commentary in an open
22 text format that comes directly to our committee and will in turn be made available to the public
23 and members for viewing. Additionally, we've added some guidance for folks who are looking

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1 for instructions on how to use the Adobe fillable PDF. I think we've heard comments and
2 suggestions that some folks may not be familiar with that or may need help adding their digital
3 signature. So right here below we have added a step-by-step guide of how to do that. As well as,
4 if you scroll down to the bottom of the website, there is an Adobe icon here where you can
5 download a free version of Adobe Reader so that it is, again, accessible for as many people as
6 possible.

7 The other item I'd like to point out – and this is not available on the website yet,
8 however, it is in progress between the House and the Senate. We are working to contract a
9 translation service so that our PDFs can be translated into languages that make it more accessible
10 for other Floridians. Again, that is still in progress, but our goal is to debut that as soon as we can
11 get everything solidified. So, Mr. Chair that concludes my presentation.

12 Tom Leek: Thank you, Ms. Kelly. On the next topic I'd like to discuss today – Ranking
13 Member Geller, you're recognized.

14 Joe Geller: Yes, I have just a couple of quick questions on that presentation if I might.
15 You said that the first thing on there – and thank you Mr. Chair. The first thing on there was the
16 existing maps, the maps that exist today. Does that mean that we are going to be using those as a
17 starting point for the work that the committee has to do and then make making adjustments as
18 necessary?

19 Tom Leek: I'll take that question. We're kind of getting ahead of things. That's really not
20 on the presentation there. But no it doesn't and as a matter of course, because all of the numbers
21 have changed. The maps that you got were based on data that was ten years old.

22 Joe Geller: Right.

23 Tom Leek: We're ten years further along. Populations have shifted and so it doesn't

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1 necessarily mean that.

2 Joe Geller: Second question you said that it would show all maps that are filed whether
3 by members of the committee or the public. Are amendments going to be accessible from that
4 same point or is there a separate system to be able to view amendments?

5 Tom Leek: Ms. Kelly?

6 Leda Kelly: Thank you, Mr. Chair. Yes, anything that comes through, whether it's the
7 committee process or once we get to the floor, the floor process, will be made available to view
8 on the website.

9 Joe Geller: Including amendments on – is it there or would there be someplace different?

10 Leda Kelly: They will be found there, yes sir.

11 Joe Geller: Thank you Mr. Chair.

12 Tom Leek: Thank you. Okay the next topic I would like to discuss today is focused on
13 some of our map drawing application's advanced drawing tools and how they can help us
14 analyze the constitutional standards by which we must make our maps compliant. For those of
15 you who are able to join Legislator University, consider this your 201 course and for those of
16 you who are not able to join, I encourage you to watch the posted recording. You can find it on
17 myfloridahouse.gov as well as on the floridaredistricting.gov website. What I would like to do
18 right now is walk through the next several slides so that we can discuss the concepts and the
19 related map drawing tools and then I will hand the mic back over to Leda to walk us through the
20 actual demonstration of some of these tools.

21 First off, let's take a moment for a refresher. The Florida Supreme Court has made it
22 clear that Florida's constitutional standards for redistricting have two distinct tiers. In Tier One, a
23 whole map or an individual district shall not be drawn with the intent to favor or disfavor a

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1 political party or incumbent. Districts shall protect racial and language minority groups' ability
2 to elect candidates of their choice. Finally, in Tier One, districts shall consist of contiguous
3 territory. In Tier Two, districts shall be nearly as equal in population as is practicable, shall be
4 compact, and where feasible following existing geographical and political boundaries. It's
5 important to remember Tier One standards take priority over Tier Two standards in the case of
6 conflict. However, within each tier the standards are equally weighed amongst one another. As
7 we dive in, another important concept to keep in mind is that there is no single correct map.
8 There is no such thing as the best map. As seen even in our standards, all decisions must be
9 weighed among one another with the goal of drawing legally compliant maps.

10 We're going to start with Tier Two standards. First up let's talk about where feasible
11 using existing political and geographical boundaries. From the Florida Supreme Court ruling in
12 2012, they delineated that political boundaries primarily encompass county and municipal
13 boundaries, which are our first two bullets here. The court then went on to say that geographical
14 boundaries are easily ascertainable and commonly understood, such as rivers, railways,
15 interstates, and state roads. In the map drawing application, there are two tools that we will walk
16 through that coincide with the political and geographical boundaries, the Reference Layers tool
17 and the Boundary Analysis Report.

18 Next up is compactness. In Florida, compactness has been defined by the court as
19 geographical compactness in relation to the shape of a district. There is no single official or best
20 compactness test the courts rely on when reviewing redistricting plans. The compactness
21 measure shown on the screen here are the three scores the Florida Supreme Court supported
22 during the 2012 redistricting cycle. The Reock, Convex Hull, and Polsby-Popper. Each test is
23 unique and places priority on certain characteristics of a district. Therefore, it is best to view

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1 | them in tandem and in context of your district, not in isolation. Let's explore these three scores
2 | further.

3 | A Reock score takes the area of a district and finds the smallest minimum bounding circle
4 | that fits around the district. Like all three of these scores, Reock is rated on a scale of zero to one,
5 | with values falling closer to one indicating a more compact district. Districts that are circular in
6 | shape are in a higher Reock score. A Convex Hull score applies a similar principle but instead of
7 | a circle, it uses a polygon. This measure accounts for indentations in districts and oftentimes a
8 | square or rectangular district will earn a high Convex Hull score. The Polsby-Popper score is a
9 | ratio of the area of a district to the area of a circle whose circumference is equal to the perimeter
10 | of the district. This score accounts for jagged edges of a district. The more jagged edges that a
11 | district has, the larger the circle, resulting in a lower score.

12 | There is also another test, which is commonly referred to as the eyeball test. Oftentimes it
13 | is said that districts that look bizarre or oddly shaped may be evidence of a partisan or racial
14 | gerrymander and while that may be true in some situations, I would encourage this committee to
15 | also remember that the state in which we live and the geography in which we are assigning
16 | districts, Florida is just simply an oddly shaped state to begin with. For starters, we are a
17 | peninsula surrounded by water on three sides of which we cannot move. Our counties are often
18 | uniquely shaped and may have flags that come off one side of the county, in addition to which,
19 | very few of them are nice even squares like some counties you find in western states.
20 | Compactness scores are used for evaluation within context of that district and as points of
21 | reference. The compactness test function in the map drawing application calculates these scores
22 | for us for each district.

23 | The Florida Constitution mandates that districts shall be as nearly equal in population as

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1 is practicable. In our map drawing application there are two tools to help you view population
2 figures at various levels of geography. The Identity tool allows you to select units of geography
3 and see how much population is contained within that piece of geography. The Themes tool,
4 which enables you to apply a color-coded theme across the entire map to which you can have
5 color-coded pieces of geography that indicate population levels in a given area.

6 Now let's move on to our Tier One standards. When defining district contiguity, the
7 Florida Supreme Court has said a district lacks contiguity when a part is isolated from the rest by
8 the territory of another district, or when the lands mutually touch only on a common corner or a
9 right angle. In our map drawing application a check integrity functionality will evaluate the
10 districts you've created in your map and identify if any are not contiguous.

11 The last two constitutional standards allow me to speak to a new concept I'd like to
12 introduce called functional analysis. Last decade the court said a functional analysis can be
13 conducted to ensure the standard is met which states we must not deny or diminish a racial or
14 language minority group's ability to elect a candidate of their choice. This functional analysis is
15 conducted by analyzing registered voters, voter turnout, and election results for a given district.

16 Let me be clear, this elections data as it is known is not used on the front end to draw
17 districts, but only on the back end as an analysis tool to ensure that a district drawn is based on
18 population protects the racial and language minority, as required to do so. Using elections data
19 on the front end of the map drawing process could inherently violate the other Tier One standard
20 listed here that prohibits us from favoring or disfavoring a political party or incumbent. This
21 functional analysis data is being made available as part of the report's functionality of our map
22 drawing application.

23 And with that, I'd like to ask Ms. Kelly to walk through these examples in the actual map

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1 drawing application. Ms. Kelly.

2 Leda Kelly: Thank you, Mr. Chair. Let me get our program pulled up here. So here we
3 are in our Esri map drawing application and what I have pulled up on screen is our benchmark
4 House districts. So this is our currently enacted House districts. Again, as the Chair mentioned,
5 for those of you who weren't able to attend the legislator university, we do have that posted both
6 on the myfloridahouse.gov website as well as floridaredistricting.gov and I do encourage you to
7 watch that to learn about some of the more basic functionality that will take you through this
8 application.

9 What I would like to walk through now are some of the examples that the Chair just
10 outlined. We have worked to tailor them to help meet and align and analyze Florida's
11 constitutional standards. So the first one I would like to pull up is called the Reference Layer
12 functionality. You'll find it here on the left-hand side of the column and you will see that the
13 Reference Layers has a drop-down feature. I'm going to take our map and zoom in, just to be
14 able to demonstrate this a little bit clearer, and I'm going to unfill our districts so that it also is a
15 little clearer. What each of these features allows you to do is to create different filters that
16 overlay on top of the map. So you can see the first one here is the Florida Senate districts that are
17 currently enacted. As I check the next one, it shows up in green as our current House districts.
18 This third one shows up in red as our current congressional districts. I'll uncheck those.

19 This next one is our primary and secondary roads. The Supreme Court identified major
20 state roads as a good boundary when drawing districts. So we've made it a very visible layer here
21 indicated by the dark red lines. So as you are creating districts it's very prominent if you would
22 like to use this as a boundary for one of your districts. Turning that one on and for our railroads,
23 I'm actually going to switch our base map so that so that it stands out a little bit more. The

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1 railroads are indicated across the state by these light orange lines. As you can see here. We also
2 have city functionality. Whenever you turn this on every city is illuminated you can see these
3 colored in areas that have these cross-hatching patterns in them. Those are the cities across
4 Florida. I can zoom out so everyone can see how they appear across the state.

5 Now what's really cool about this one, and I'll come back to this in a second, is that you
6 can also use this level of geography to assign geography as well. While we're here, I also would
7 like to click on the counties layer, which you can see illuminates in bright blue lines. And this
8 last item here, while it takes a second to load, so I'm not going to demonstrate it right now. It's
9 all the water across Florida. So this is lakes, rivers, as well as our coastline. On the east side of
10 Florida, our coastline as defined by the Census Bureau goes out three miles. On the west coast, it
11 goes out nine miles. So again, I won't load that for time's sake. But that is quite fascinating to
12 look at.

13 As you're looking here at reference layers trying to identify things at which you can
14 create boundaries with, I'd like to click on this identify tool. This tool is also contained here in
15 this left side column. Down on the third tab here and in conjunction with this little blue circle up
16 here. If I hover over it, it says identify feature. To demonstrate this I'm going to drop down what
17 is called our place layer and you can see as I hover over our map the cursor turns into a little eye.
18 If I click on one of these colored in cities with the cross-hatching it actually will identify the city
19 here for me. You can see I've clicked on Tallahassee. As I scroll this column down it actually
20 will also tell me the population of Tallahassee. So Tallahassee has 196,169 people in it. Say you
21 were drawing with this tool and you say I want to add Tallahassee to a district. I really like that,
22 that sounds good. What you can do is go down here and select a district as well as from this
23 drop-down menu here and you can actually click assign to right in this window here. Now the

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1 program with take a second to load, but what the program automatically does is calculates the
2 boundaries of that city and assigns it to whatever district you've asked it to assign it to. Again,
3 being very respectful of that city, county boundaries it automatically identifies that.

4 The next item I'd like to look at is the compactness test that the Chair mentioned. This is
5 found here in our Review tab. Here on the left-hand side. Whenever you click on this, it will pop
6 up the window that goes through each of the three compactness tests that we talked through
7 earlier and each district has the compactness scores automatically calculated for it. Compactness
8 test as an FYI can also be run under the Reports window. Here where it says district
9 compactness. If you'd like a version of the report that you can download and save for your
10 purposes.

11 The next item that I'd like to talk about is the Check Integrity tool which is found right
12 here next to the compactness tool. If you click on this, it runs a series of integrity checks. Now,
13 in relation to the presentation the Chair just gave, we're actually going to look at this last one
14 called connectivity. This is what will tell us if our districts are contiguous. Now, as you can see
15 I'm coming up with a red x, which means somewhere in my map I have a district that is not
16 contiguous. So for demonstration purposes I'm going to zoom out here and I'm actually going to
17 turn back on the district fills. Now as you remember – let me turn the cities off for right now – I
18 assigned the city of Tallahassee to District 1. So if I click on the details pop-up it will actually
19 identify the districts for you that are discontinuous. So here in District 1 because, as we all know,
20 District 1 is currently over in the western Panhandle, but I assigned Tallahassee to it. Those are
21 two separate parts of the district, which flags in the program. Now what you can see what also
22 happened is as I assigned Tallahassee to District 1, I inherently created District 8 and District 9
23 separate geography there. So the program flags that for you as well. As that pops up you can go

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1 in and correct your districts and click refresh and it will automatically refresh if you were to have
2 any additional errors.

3 The next item clicking back over here to the Review tab is our reports. So the VAP
4 Summary Report, as the Chair mentioned, is where we'll find the data to run our functional
5 analysis. These three categories down here is where you'll find the collection of this data. It
6 includes registered voters, voter turnout, and election results. Those are primary and general
7 election results for statewide elections from 2012 all the way through 2020. If you were running
8 your summary report and you would like to add that, all you would have to do is expand the
9 column and you can scroll through and add whichever categories you'd like to, to your
10 respective report and then run your report.

11 The next report I would like to highlight for the committee is called a Boundary Analysis
12 Report. It's found here under the Metes and Bounds category. Now it does take a second to
13 generate. So I went ahead and ran one for demonstration purposes. This is a long list and it is a
14 list of every single district. What this helps to identify is the percentage of that district that
15 follows one of the categories that we have here. So it could be city, county, roads, water, rail, or
16 that portion of the district that doesn't follow any geographical or political boundaries. If you see
17 here District 7, which is a large coastal county here in the Panhandle, you can see it follows
18 county boundaries 96% of the time as well as water 52% of the time, which makes sense because
19 it's a coastal district. So again, this is a report similar to compactness score where there is not
20 one benchmark or one threshold that makes a district good or not, but it is used to help
21 understand the percentage of the district that may be in alignment with constitutional standards.

22 Clicking back over to our program here. The next item I would like to highlight is our
23 Themes tool. I'm going to zoom out. So the Themes tool is found on our Create tab and what this

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1 allows you to do is to basically apply color-coding across the entire state. You can set your fields
2 here that you would like it to show and when you click update, it actually applies a theme across
3 the entire state. So the one that I just applied was dealing with total population. And as you can
4 see here the color coordinating says that as we go from red to green the areas become more
5 populous. So, we'll come down to South Florida with some of our more populous counties and
6 you can see the color differentiations there. You can drop down and obviously select other
7 factors by which you would want to apply themes, but this is a good visual tool that if you are
8 looking to actually look at the state as a whole. The other thing about Themes that I would like to
9 point out and you can see it as I continue to zoom in here. At the different levels of geography
10 that show in the program it will indicate the total population since that is what I've selected here
11 of those respective geographies. So you can see as I continue to zoom in, now we're getting all
12 the way down to the block level. You can see exactly how many people may live in that
13 respective block. Again, as you are looking at population totals, as you are looking at
14 communities for assigning to districts this will help identify the population that goes along with
15 that. Mr. Chair that concludes my presentation, thank you.

16 Tom Leek: Thank you. Members, I want to open it up to any questions at this point on the
17 presentations. So we're going to have an opportunity, Representative Geller, I know you have
18 some questions, wanted to say a couple of things. Are there questions about Ms. Kelly's
19 presentation? Alright members, seeing no questions about Ms. Kelly's presentations, is there
20 public comment? Seeing no public comment, let me turn it over to Ranking Member Geller.
21 Ranking Member Geller, you are recognized.

22 Joe Geller: Thank you, Mr. Chair. I have just a couple of things. Let me just begin by
23 saying first of all, Mr. Chair, that you are extremely generous with your time with me, when we

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1 had the opportunity to speak yesterday. And I appreciate that and I appreciate that open door. I
2 think it frankly bodes well for the work of this committee that was something that I want the
3 record to show that that communication is taking place. We spoke a little about that article that
4 you spoke about earlier and my comments on it, I think, were reported, and I think that I tried to
5 indicate that I thought those were questions that were raised. Some of those appeared to me to be
6 legitimate questions, but I wanted to reserve judgment until we had a chance to look at facts. One
7 side of any argument is always persuasive. You indicated to me that there was some kind of a
8 response or rebuttal to it and I'm wondering is that something that's in writing or just the
9 comments that were made when they interviewed people in the press.

10 Tom Leek: Thank you, what I indicated to you was I believe there was an article out of
11 the Miami Herald that walked through the rebuttal points from both chambers.

12 Joe Geller: Thank you, and so let me just say that I don't ever believe everything I read in
13 the newspaper. I've said things that didn't look like what I've said that have appeared in the
14 newspaper. This wasn't even in the newspaper. This was a couple of private individuals, but
15 people with some history. So particularly so that these questions are on the record, I took from it
16 a few things. One had to do with their concern that geo-mapping was available. And my
17 understanding from having spoken with you is that that is not something that is available for use
18 here in the state. That because it is a national software that that's something that some other
19 states may want to use. But it's not functional on our website in Florida. So do I have that
20 correct?

21 Tom Leek: Yeah, we addressed that also in the opening comments. But that allegation in
22 the article is just plainly false

23 Joe Geller: So that's important to put that to rest, thank you. There was another one that

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1 said that it was not possible to export anything except maps. That there was some data associated
2 with maps that could not be exported. Is someone, it could be you, Mr. Chair, but if there is
3 somebody with more technical answer to it. I'd certainly appreciate it.

4 Tom Leek: I believe I know the answer to that but I am going to let Ms. Kelly answer
5 that. Ms. Kelly you are recognized.

6 Leda Kelly: Thank you, Mr. Chair. Yes, what the Esri contract says is the base map – so
7 whenever I was doing the demonstration, I switched it into that light gray map. It's the canvas on
8 which we draw our districts on top of. That is an Esri work product that they produce with other
9 geographical entities. That is what the contract speaks to. Our maps have the ability to be
10 exported, imported into other software, or likewise imported into our software as long as they are
11 drawn on the census block levels. So we do have full functionality to import and export.

12 Joe Geller: And somebody then, if they wanted to take the map and test it with one of
13 those other softwares that were cited in that article, they can do that?

14 Leda Kelly: Yes, sir.

15 Joe Geller: Okay, those are two important things for the public to understand clearly. The
16 last one that you and I discussed, Mr. Chair, and I hope is under review. I understand that there
17 was some kind of a non-disclosure agreement as to certain software. It seemed to me that that
18 non-disclosure might be drawn too broadly and I hope that some review is underway to see if
19 that can be more narrowly tailored. We understand that people don't want, I'm going to use
20 the wrong word, but their source codes or something to be made publicly available. But I am
21 concerned that there may be some chilling effect that people have when they look at the idea that
22 they may be violating some kind of an NDA. So I hope that one would be under review. And I
23 just want to close by saying I think it's important that some of these answers are given now and

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1 they're given on the record. If there is more to it, if they have further concerns, and I'm not their
2 spokesman, but I've read the article and I've read the response article, if there are other issues,
3 we'll continue to raise them. But again, I want to say that the Chair and the committee and the
4 House leadership's willingness to address these I think is important. We need public confidence.
5 Before I close, I just do want to raise just a couple of things. Again that I know –

6 Tom Leek: Representative Geller, do you mind if I address the non-disclosure issue
7 before you move on?

8 Joe Geller: Oh, please, please. Thank you, sir.

9 Tom Leek: And Ms. Kelly, correct me where I'm wrong here, but regrettably, the article
10 conflates the public records part of the agreement with non-disclosure. It's not a non-disclosure.
11 What they're talking about is in the public records section and discusses how the state, who is
12 responsible for public record requests, will process that information and that they are required to
13 give us all information that is the scope of a public records request so that we can process. It
14 keeps them from going off on their own and deciding what they are going to disclose and what
15 they are not. It maintains the state as the sole responsible entity for complying with public
16 records requests.

17 Joe Geller: I can't see we can ask more than that, Mr. Chair. That seems appropriate to
18 me and I appreciate that answer on the record as well. To close, I just want to say again I hope
19 that there will be some change in the posture as to every map counting against our seven bill
20 limit and specifically what I would ask to be reviewed as you and I discussed because I want to
21 be clear. It's my hope not to raise things here unless I hear something and I have a question that
22 we don't have a chance to talk about first. The goal here is when we all share we all want an
23 open process that I hope will result in a fair outcome and we all want public confidence in what

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1 we do and I think those are things that are shared here. Certainly, your open door and your
2 conduct indicates to me that that's the case. But I think we introduce bills that are called
3 repealers. We introduce things that call for memorials to Congress. Those things do not count
4 against our bill slot. I understand we have to manage what may be a very difficult process and
5 I'm keenly aware. God knows how many maps we're going to get compared to ten years ago. I
6 do think it's important that we try to carve out whether every legislator, every House member, I
7 should say, is limited to two or three, but we should have bills that don't count against our bill
8 slots. The announcement to that came, frankly, after many or most of us have kind of already
9 committed our seven bill slots. I'm not suggesting we have a thousand House maps introduced
10 by – introduced by members. I know we can have, as you pointed out, we can make
11 amendments. But in terms of – since the committee can introduce committee bills, committee
12 maps without limit, I would urge that we be given the opportunity if we are limited to three
13 maps, even two maps each that those be like repealers, or memorials, or claims bills. Outside of
14 our seven-bill limit. I understand that may take some doing to conform to our rules, but I think
15 that's doable. I would urge that again. And most importantly, Mr. Chair, I saw in the very
16 thorough presentation Ms. Kelly made, thank you for that, that there is a place for the public to
17 submit input and that's a good thing. I still think that we should have a process that I discussed
18 with you. That is not what was done ten years ago. The technology has changed. The COVID has
19 taught us every kind of new approach. But if we had something that allowed the public to submit
20 testimony by zoom, maybe on a day and a time. In fact, I don't think that the committee all needs
21 to be sitting here. I don't want to criticize the other chamber. But having people have to come to
22 Tallahassee and then putting them in a room three blocks away on zoom anyway. Why should
23 they have to come to Tallahassee to do that? We could hear people in our living rooms or in the

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1 immortal words of the Vice-Chair, sitting in our bathtubs. An image I'm still trying to erase. But
2 we could all, as many of us as possible the comments would all be transcribed. They'd be
3 available to any member that wanted to read those that wasn't able to attend every day. They
4 could be archived. We could be sitting at home watching it. We're not going to be voting on the
5 bills, we're not going to be in committee raising our hand, we're just watching public comment.
6 The public can do that from home. The only additional thing I'd say for those people who do not
7 have access to computers or zoom or know how to use it. If we said this is Orlando day or this is
8 Tampa day, somebody from a different city could chime in. But there should be some location on
9 that day where any member of the public could be at a legislative office or maybe at the county
10 hall or something. Where every member of the public who wanted to be heard could come in,
11 there would be somebody there that would help them talk to zoom, and they could make their
12 point. I simply think that it is something that would help public confidence and you told me you
13 would give it some consideration. As I said, I take you at your word, Mr. Chair. I think those two
14 issues are important. And I look forward to seeing where we can get on them. Thank you very
15 much, I appreciate the time.

16 Tom Leek: Thank you, Ranking Member Geller. I want to address a couple things there.
17 In the number of bills and I'm glad you brought up the rules because I think you were ranking
18 member on the Rules Committee last year. Of course, we can only expand the number of bills
19 during our organization session, which would occur in this case after the filing deadline. Also,
20 that's a good time to point out that we did expand the number of bills last year. Really, I don't
21 think that's the biggest point. What you guys need to know is that every member of the Florida
22 House of Representatives can file, today, an unlimited number of amendments to the maps
23 proposed. Which means you can file as many maps as you want regardless of how many bill

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1 slots you may have. It's there for you. So the question is to what end is expanding the number of
2 bill slots? Where I struggle with that is I'm not sure it gets us any place different than where we
3 are today. One of the things I want you all to know and in particular I want the citizens of Florida
4 and the viewing public to know is that Joe Geller and I have a wonderful working relationship.

5 Joe Geller: Yes, sir.

6 Tom Leek: And we have had a wonderful working relationship for the six years that I've
7 been in here and you've been in here thirty, right? But the entire time that I've known Joe it's a
8 relationship of respect, trust, and openness. So I want everyone to know that we've got a good
9 process. I think we have folks and Representative Geller and myself who are willing to listen to
10 each other. Who are willing to understand where the other side's coming from. And listen,
11 Representative Geller and I don't always end up in the same place. In fact, we frequently don't, I
12 would say. But it is a relationship of respect. I want to thank you for reaching out to me and
13 talking to me about this.

14 Joe Geller: And thank you for your openness and your thoughtfulness. And I agree with
15 what you just said completely.

16 Tom Leek: Thank you. Members, I know this is a lot of information to take in and I've
17 said it before and I'll say it again. The redistricting task is not an easy task. Understanding the
18 foundational concepts that underlie the maps that we will be voting on is a critical initial step and
19 I appreciate the seriousness and dedication that you bring to this committee. And with that,
20 members, this concludes our committee agenda for today. Vice-Chairman Fine moves that we
21 rise. Unless there is objection the meeting is adjourned. Thank you.



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