

**Florida House Session
February 2, 2022**

Transcript of excerpt of video recording available at:
<https://thefloridachannel.org/videos/2-2-22-house-session/>

EXHIBIT

J76

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1 [00:13:11]

2 The Speaker: Read the next bill.

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

5 The Speaker: First, we're going to start the redistricting bill here in a moment. I'd ask
6 that you take your conversations back to the bubble or back to the lounge so that members can
7 hear the debate that's going to transpire here on the floor. Representative Leek, you're
8 recognized to explain the bill.

9 Tom Leek: Thank you, Mr. Speaker. Members, this is a joint resolution of apportionment
10 that we discussed yesterday.

11 The Speaker: Are there any amendments?

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

13 The Speaker: Alright. Having no amendments, members, we're going to go into
14 structured debate on CS for SJR 100. The debate will be limited to 90 minutes per side in 15-
15 minute blocks. Total debate time will not exceed 180 minutes. Representative Willhite, you are
16 recognized to begin the debate and the clerk will begin the debate clock.

17 Matt Willhite: Thank you, Mr. Speaker. I'd like to yield the floor to Representative
18 Geller.

19 The Speaker: Representative Geller, you're recognized.

20 Joe Geller: Thank you, Mr. Speaker. Thank you for personally presiding over this very
21 important bill. We appreciate that. I want to preface my remarks today by saying that I have
22 affection for every member in this chamber. I respect each and every one of you. I want it
23 understood that my remarks are directed to the substance of this bill and not directed at any

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1 individual member of this house, all of whom I respect. Mr. Speaker, today I along with many of
2 my colleagues are going to be voting no on this bill. There are a lot of reasons for that. There are
3 reasons that are related to the substance of this bill. There are reasons that are related to the
4 failure to take what I and other members of my caucus consider are adequate steps to protect the
5 Creole speaking citizens from that language minority in the state of Florida. There are
6 substantive reasons related to the way districts were drawn for Hispanic speakers. There are
7 substantive reasons to oppose this bill related to the failure to address our African American
8 citizens here in the state of Florida. There are other substantive reasons to oppose this bill, but
9 most of those I'm going to leave to other speakers. Today I want to focus more on the process.
10 Yesterday I raised, along with a lot of other members of my caucus, a lot of process questions.
11 By our count, 36 times we didn't get answers. Some of that was because we were told our
12 questions could only relate to the maps. Some of that was because we were told that the question
13 had been asked and answered and I agree on almost all of those that the question had been asked,
14 answered is kind of another story.

15 The Speaker: Representative Geller, you got to keep your debate to the substance of the
16 bill, just like the questions, substance of the bill. You're recognized.

17 Joe Geller: Thank you, Mr. Speaker. Let me say the process by which we arrived at the
18 bill does impact the substance of the bill and that's my focus today. In the process leading up to
19 this, we were told on the committee, we're on the ranking Democrat, that certain things were
20 premature. We were told that we couldn't really do much with the workshop maps that were in
21 front of us. Maps dropped. In short order after they dropped, there was an amendment and then
22 we had a vote less than a week for both. We were told at that time and we were told on the floor
23 those are process issues. That opportunity has passed. Members, I have to tell you there is an old

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1 routine by an idol of mine, Groucho Marx, and he was the leader in that movie of a place called
2 Fredonia. If that sounds a little bit like the free state of Florida or the Orange Free State if you're
3 a history buff like me, then you're not wrong. At a meeting, someone tried to raise an issue and
4 he said sorry, this is old business, that's new business. They came back and he said okay, we'll
5 move on to new business and the same person tried to raise the issue and he said that's old
6 business already. I feel like we got a little bit of that treatment yesterday. That there were things
7 that it was premature to bring up and then all of a sudden, it was too late to bring up. We did not
8 adequately solicit the input of the citizens of Florida and with new Zoom technology that would
9 have been easy. It really would have been a no brainer to do it. But we didn't do it. We were told
10 as an individual member, you can solicit that, even though we only had workshops maps and
11 comment on them was worth bringing. We were told that the maps were drawn by somebody. I
12 stand here today and I still don't know who was in the room. We're told that counsel is shown on
13 the House website, and yes, it is. Three sets of law firms. That's a fact. It's there. Which of them
14 and who from them was substantively in the room when the policy decisions were made I'm not
15 clear on. I was told the staff drew them. But something was too complicated for staff. Were
16 members present at that point? Which attorneys were present who weighed in on those policy
17 decisions? I don't know. I'm troubled by that. I'm troubled by the fact that the chamber never
18 took a position that we would accept the Florida Senate map as drawn. I understand there's some
19 tradition. I'm a great respecter of tradition. But I'm troubled because I'm asked to vote on a
20 Senate map with no idea if that map is constitutionally compliant. I don't want to vote for any
21 map that is not constitutionally compliant. With that said, I'm also asked to vote today on our
22 House map, even though I have all these unanswered questions. I don't choose to vote for a map
23 that I don't know is constitutionally compliant. That is my sworn duty. Why we could not

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1 address the technical end of where Haitian Creole speakers reside and how to protect them. Why
2 despite growth in both the Hispanic community and the African American community the
3 number of protected districts, benchmark districts, the language varies from time to time, why
4 that number was unchanged even when a district was lost in South Florida and somehow gained
5 in Central Florida so the bottom line numbers are the same. I don't know what methodology was
6 used. I don't know who decided. I asked some questions about Esri and we didn't get answers.
7 What was turned off in Esri? What functionality did it have that we told them not to use?

8 The Speaker: Members. Representative Geller. I will remind you that Rule 8.2, the House
9 Rules, members should confine all remarks to the questions under debate. Representative Geller,
10 I understand you have lots of opinions about the process. You've confined some of your
11 comments to the issues that were brought up yesterday about language speakers. Of course,
12 that's relevant to the substance of the bill. I'll ask you again to keep your comments to the
13 substance under debate today, which is the bill in front of us. You're recognized.

14 Joe Geller: Thank you, Mr. Speaker. The result of the process that was followed is the
15 bill before us today. The bill before us today must be compliant with our Constitution and
16 mandatory is adherence to the Tier One standards. I'll just, to try to conclude my remarks today.
17 Say to you that since I don't know how we got there, since I don't know why we got to where we
18 did. Since I don't know if the process we followed resulted in a constitutionally compliant map. I
19 feel I have no choice in honoring my oath to uphold the Constitution of this state of Florida, to
20 uphold the Constitution of the United States upon the which the Voting Rights Act that we're
21 mandated to follow, since I don't know that what we're voting on this very map is in compliance
22 with those constitutional standards, I have no choice but to withhold my vote along with many
23 other members of my caucus because I will not violate my oath to the federal and Florida

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1 Constitution. Thank you, Mr. Speaker.

2 The Speaker: Representative Willhite, you're recognized.

3 Matt Willhite: Thank you, Mr. Speaker. I'd like to yield the floor to a member of the 59th
4 District, Representative Learned.

5 The Speaker: Representative Learned, you're recognized.

6 Andrew Learned: Thank you, Mr. Speaker. I rise today to talk about maps, of course. But
7 also about baseball because one of the things that everybody from Tampa Bay knows is that the
8 Tropicana Field has one of the worst attendance records in modern baseball. The reason we
9 almost lost our major league baseball team to Canada was because we can't get enough people to
10 show up at the stadium for games. The reason that is true is because it takes an hour and 45
11 minutes to drive from my eastern suburbs of Tampa all the way through Tampa's downtown
12 traffic, past MacDill Airforce Base's traffic, cross Tampa Bay over into St. Pete. It can take three
13 hours at rush hour if you try to make it to a game. My problem with the map before us is that it is
14 splitting part of eastern Hillsborough County and putting it in with downtown St. Petersburg,
15 Retirement communities in eastern Hillsborough with downtown districts two hours away. We're
16 doing it because we're saying it's contiguous across water, which is a concept that I understand
17 makes sense mathematically in a formula, but it doesn't make sense to anybody who actually
18 lives there. Crossing the bay at 7pm to get to, I mean, all of us have done house parties in our
19 districts. All of us have gone out and gone to speak to the local Chamber of Commerce. All of us
20 have talked to a local club, a Sons or Daughters of the American Revolution, or a Boy Scout
21 troop. Every meeting I think I've ever gone to all starts at 7 o'clock, which is right in the middle
22 of rush hour traffic when you'd need to leave your district office three hours away just to talk to
23 your constituents. Crossing the Bay is a problem. It means that people will be underrepresented.

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1 It is not, I would stand before any court and say it is not constitutionally contiguous to say that
2 those two communities have anything to do with each other, other than manatees in the middle.
3 Brandon, Florida, which is the town that I represent, is not incorporated. We're not a city. We're
4 just in unincorporated county, 200,000 residents. One of the largest unincorporated towns in
5 America, we don't have a voice because of that and this map splits Brandon four ways because
6 we don't count to the mathematical formulas that are used to generate these maps. Anybody from
7 Brandon says they're from Brandon. Everybody knows where Brandon is. It's Tampa's eastern
8 suburb. It's a very clearly understood area. Yet, because we didn't check that constitutional box,
9 we're going to get it split four ways. I know every Chamber of Commerce, every small business
10 owner, everybody that I know in Brandon is going to have less of a seat at the table because of it.
11 Lastly, Mr. Speaker, I'll just talk about time. We got these districts a week ago. The people back
12 home are probably seeing this for the first time now. They probably haven't even been on the
13 website. They don't know who their new representative is. They haven't had their voice in this
14 process. I know that it's taken us a lot of time but the people back home haven't had the same
15 amount of time. This map was finalized a week ago and now we had it amended onto a Senate
16 map, which is something that even fewer people understand the logistics of how that all
17 happened. They deserve a seat in this chamber, too. This is a map that will decide their
18 representative for the next ten years. We talk about people choosing their representative, not
19 representatives choosing their people. The reality is in this process we have been choosing the
20 people. We wrote the map. The people back home haven't had the same opportunity but for a
21 week. I am against this map for those reasons, Mr. Speaker.

22 The Speaker: Thank you, Representative Learned. The time having expired, you don't get
23 your two seconds. Leader Grant, you're recognized.

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1 Michael Grant: Thank you, Mr. Speaker. I yield time to Representative Tuck.

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

3 Kaylee Tuck: Thank you, Mr. Speaker. Members, I want to take a minute to discuss the
4 population deviations we see before us on this map, and the consistent methodology that has
5 been applied to every district throughout the state in order to reach the result we are considering
6 today. When maps were created last decade, the House balanced the population deviations with
7 other Tier Two standards of compactness and following existing political and geographical
8 boundaries in order to create the prior maps we used as the benchmark plan. Balancing these Tier
9 Two standards was the rationale for establishing the overall population deviation for the
10 benchmark plan. It is important to recognize that the Florida Supreme Court specifically
11 endorsed this methodology. Similar to the Supreme Court's endorsement of this methodology,
12 courts throughout the country have held that legislative redistricting plans have an overall
13 population deviation of 10%, which is considered acceptable and legally compliant. Members,
14 we should all be proud that our maps go above and beyond, despite an acceptable overall
15 population deviation of 10%, the map before us today has an overall population deviation of only
16 4.75%, with District 6 being at the low end at -2.38% and District 4 on the high at +2.37%. Even
17 with going above and beyond the population range for this map, we're still able to balance the
18 additional Tier Two standards. For example, District 6, we were able to keep Bay County whole
19 and in District 4, we were able to keep the city of Crestview whole. This concept is indicative of
20 the consistent methodology and reasoned approach of applying the constitutional standards
21 throughout the map. When it comes to the population deviation and the methodology used in this
22 map, we can rest assured that our methodology has been blessed by the Florida Supreme Court
23 and consistently applied across the state. As a result, we have before us a constitutionally

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1 compliant map ready for a vote. I would encourage everybody's favorable support. Thank you,
2 Mr. Speaker.

3 The Speaker: Thank you, Representative Tuck. Leader Grant, you're recognized.

4 Michael Grant: Thank you, Mr. Speaker. We yield the remainder of our time back to the
5 Chair.

6 The Speaker: Having yielded back, members, we have some former members with us
7 today. First, I'd like to welcome back to the Florida House Senator Ray Rodrigues. We also like
8 to welcome back former members David Richardson and Bob Cortes. Welcome back,
9 gentlemen. Representative Willhite, you're recognized.

10 Matt Willhite: Thank you, Mr. Speaker. I'd like to yield the floor to the member from the
11 44th district, Senator Thompson.

12 The Speaker: Representative Thompson, you're recognized.

13 Geraldine Thompson: Thank you, Mr. Speaker. Members, when I look at the map that
14 has been presented to us, it reflects what, in my opinion, is a quota mentality. A quota mentality
15 suggests that the minimum is enough. In 2012 after the 2010 census, there were maps drawn that
16 provided an opportunity for 30 minority individuals to be a part of this process. Today, in 2022
17 after the 2020 census, we still have only 30. The minimum that is required. If you believe that a
18 quota is what we have to do. If you believe that a quota is what's appropriate. A quota is the
19 floor, not the ceiling. If we had 30 in 2012, we're on the floor when we had an opportunity to
20 reach for the ceiling. We had tremendous growth in our minority population. The census data
21 shows 500,000 more black residents in the state of Florida. The census data shows 1.5 million
22 more Hispanic residents in the state of Florida. Despite this growth, we're still at 30, a quota
23 mentality. Members, the maps that we vote, the maps that we put forward should reflect

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1 Florida's population and Florida's electorate. It should reflect our Haitian Creole speakers, our
2 Hispanic population, our African American population. We should not be bound by a quota.
3 When the maps go forward, after they are voted on, we will be bound to these maps for ten years.
4 It won't be until the 2030 census, after the 2030 census that we will have an opportunity or
5 someone will have an opportunity to draw other maps. We have to be deliberate because we are
6 bound to these maps for ten years. While we won't show retrogression in terms of fewer
7 minority seats, at the same time unfortunately, we won't show progression. We haven't made
8 any progress in terms of the participation of minority populations in this chamber. We had an
9 opportunity to reach for the ceiling. Instead, we are reclining and stuck on the floor. A functional
10 analysis was performed on only the 30 seats that we already have rather than the 120 seats that
11 offer a possibility of maximizing the participation of minority individuals in this process. We
12 have squandered an opportunity to bring divergent voices, divergent experiences, divergent
13 perspectives –

14 The Speaker: I apologize for interrupting you, Representative Thompson, but I'm
15 struggling to hear you. Members, if you could move your conversations to the back of the
16 bubble, there's obviously going to be a lot of debate today, both sides, 15-minute blocks. It's
17 going to continue to get loud in here. Just take your conversations to the back so we can hear
18 everybody. Representative Thompson, you're recognized.

19 Geraldine Thompson: Thank you, Mr. Speaker. We had an opportunity to bring diversity,
20 greater diversity to this chamber. We did not take that opportunity. We looked at the 30 as the
21 ceiling while it is actually the floor. Members, please vote no on this map. Thank you, Mr.
22 Speaker.

23 The Speaker: Thank you, Representative Thompson. Representative Willhite, you're

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1 recognized.

2 Matt Willhite: Thank you, Mr. Speaker. I'd like to yield the floor to the member of the
3 97th District, Representative Daley.

4 The Speaker: Representative Daley, you're recognized.

5 Dan Daley: Thank you, Mr. Speaker. I rise today with several concerns for many
6 different reasons but the two I want to touch on at this time are the lack of minority
7 representation or the verification of minority representation in these maps, and candidly, the
8 process that got us here today. I do not believe that we've been given all the data, particularly the
9 data that would enable us to perform a functional analysis as my esteemed colleague just
10 mentioned on all districts. We were provided data for 30 districts and told to trust us. Well folks,
11 when you look at the numbers and over the last ten years you've seen an increase of two million
12 Floridians who happen to be in the minority, 1.5 million Hispanics and 500,000 black Floridians.
13 That to me shouldn't equate to the same number of minority districts, protected districts that we
14 have today. It doesn't make sense. It doesn't add up. Process-wise just because we say again and
15 again and again that something has been open and transparent doesn't make it open and
16 transparent. There's been a lack of access to data and information. There's been a lack of
17 adequate notice. I don't know about you folks, but this is the most important thing we do as a
18 body. We only do it every decade. Two days does not make adequate notice. We've had
19 overlapping meetings. As many of you know who sit on the state redistricting committee, I
20 mentioned it again and again because we were meeting at the same time as the congressional
21 meeting. How are members of the public supposed to adequately weigh in when they can't be in
22 two places at once. There's been no meaningful access for the public. Ten years ago, there was a
23 statewide tour. We've all heard about it. Heck, Representative Jenne was here for it. We actually

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1 went and toured the state. Now, everything going on with Covid I understand. We couldn't do an
2 in-person tour. That's fine. But if my 93-year-old grandmother can figure out how to use Zoom,
3 I'd bet most Floridians can do the same. You mean to tell me we couldn't have done that to some
4 degree across the state to solicit public input. I take offense to that. I want to mention one other
5 thing on the process. In our committee, I asked the question: when are we going to make the
6 policy decisions? When you talk about policy decisions, I mean what do we do with the prison
7 population. Are we prioritizing keeping cities whole, keeping counties whole? Those are all
8 policy decisions. I was told at that time well we need to draw the maps first. Then we can decide
9 the policy decisions. Somewhere in between there and two committee meetings later, we had the
10 maps, all the policy decisions had been made by the admission of the Chair by him and other
11 chairs. We had never actually had the opportunity to weigh in and have an actual conversation
12 about those policy decisions that impact all Floridians. I want to talk for just a second because
13 some members of the majority party mentioned yesterday well, listen you could have proposed
14 your own amendment. Why didn't the Democrats propose an amendment? Well, here's part of
15 why we chose not to propose an amendment. We lack the data. We lack the data and that in
16 particular is the data that is being housed in Florida State University. When we asked for that
17 data, we were told that we couldn't have it for constitutional reasons because it was part of some
18 data. But that's incorrect. That's incorrect. Members of the Florida Supreme Court have already
19 said that mere access to partisan data does not equal partisan intent. In fact, that data is necessary
20 to make sure that a minority group has the opportunity to elect the candidate of their choice. It's
21 the only way to do it, members. There was no way for us to even propose a constitutional map
22 without that data. Members, in closing this is the most important thing we do as a government. It
23 is the very foundation of our democracy. It is who our residents, all 22 million of them across

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1 this state, it's who they're going to have the option to elect for the next ten years. For these
2 reasons and so many more, I'm asking you to vote no. Let's start over. Let's do this right. We
3 still have time because our democracy depends on it. Thank you, Mr. Speaker.

4 The Speaker: Representative Willhite, you're recognized.

5 Matt Willhite: Thank you, Mr. Speaker. I yield the floor to the member of the 92nd
6 district, Representative Williams.

7 The Speaker: Representative Williams, you're recognized in debate.

8 Patricia Williams: Thank you, Mr. Speaker. I rise because on yesterday we heard several
9 times that any information or question that we asked was in the packages. Several of us did not
10 have the opportunity to serve on the Redistricting Committee. If any information that was needed
11 was in the packages, why did we receive the packages just on yesterday? That did not give us
12 enough time to look in the package and go over the package. It did not give us enough time to
13 contact the district that we serve. It did not give us enough time to question the person that put
14 the packages together. With receiving the information at such short notice, we as a body did not
15 have enough time to discuss with each other, to debate our concerns because of the short notices
16 of receiving the packages. I heard several times on yesterday rest assure me that certain things
17 was not taken into consideration or rest assure me that certain things was taken into
18 consideration. It's not that I don't trust the one that put the maps together. It's not that I don't
19 trust the one that put the packages together. It's that I trust myself more. You had heard the
20 numbers of additional Blacks being added to the state of Florida. You have heard additional
21 numbers of Hispanics being added to the state of Florida. But what we have not heard any
22 additional seats added for the minority party. With those reasons, I will be voting down and I ask
23 my colleagues to do so. Thank you, Mr. Chair.

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1 The Speaker: Representative Willhite, you're recognized.

2 Matt Willhite: Mr. Speaker, I yield back the remaining balance of this time.

3 The Speaker: Leader Grant, you're recognized.

4 Michael Grant: Thank you, Mr. Speaker. If you would, sir, please recognize
5 Representative Fine.

6 The Speaker: Members, before – please pause the debate clock. Before we get to
7 Representative Fine, let's just pause for a quick recognition.

8 [Recognitions]

9 The Speaker: Members, we're back in debate. Representative Fine, you're recognized in
10 debate.

11 Randy Fine: Thank you, Mr. Speaker. This morning at six o'clock I was up working with
12 my son, who's taking algebra II, tutoring him and thinking through math. Since I was up that
13 early, I couldn't go back to sleep. It prompted me to take a look at our maps in general and to
14 think about some of the arguments that were made yesterday. We have heard the argument from
15 some already today that somehow minority population has not been thought through in this
16 map. The argument that is made, I'd like to make it for them. I think I can do that. The argument
17 that is made is that there are 16% more Black people living in Florida today than there were ten
18 years ago. Why aren't there 16% more seats that reflect that? By the way, there are 35% more
19 Hispanics in Florida than there were ten years ago. Why are there not 35% more seats that are
20 primarily Hispanic? By the way, if you add them together, you get to 51% more seats. Hopefully,
21 I've delivered that argument with a little bit of enthusiasm. The problem with it is it belies a
22 basic understanding of math. It does not matter how much your population increases. It matters
23 how your percentage of the population increases. Ten years ago, 17% of this state was made up

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1 of Black residents, 2010 census data. You know what it is in the 2020 census data. 17%. It hasn't
2 changed. Actually, it changed a little bit. It went from, I wrote it down, if you want to do to the
3 hundredths of a decimal place. It went from 17.02% to 17.25%. It did go up a little bit. The
4 population of our state increased 15% over the last ten years. Hispanic population, 23% ten years
5 ago, 26% today the fact that it went up by 35% overall is irrelevant to the discussion. It is the
6 percentage of the overall population, which has not changed that much. One could argue, wait it
7 did go from 23% to 26%. Well, that's a little more. Why hasn't it changed? Well it also matters
8 where you move and where you live. See it's not the same 30 seats today. We've talked about
9 that before. There was a primarily Hispanic seat down there in Dade County. It went away. You
10 want to know why, because while the state grew by 15%, Dade County only grew by eight.
11 We've got to allocate these seats based on population. They just have fewer people as a
12 percentage of the state as they did ten years ago. But you know what the number one growing
13 county in the state of Florida was over the last ten years? It was Osceola County, the county near
14 me. It increased by 45%. That is where a new minority seat exists because it grew faster than the
15 state as an average. The math works. I'd like to address one other point as well. We've heard
16 discussions about data that doesn't exist. Data that we wanted, it didn't exist. It was just
17 referenced as FSU data that we can't have it. It doesn't exist. This is not correct. For starters,
18 there is no FSU data. It is state elections data and not only does it exist, it has been in the
19 software available to us since October of last year. Which begs the question, I've heard it over
20 and over again, why did we not run the functional analysis for the other 90 seats? First off, the
21 data existed to do it. Any member of this chamber with, I guess, adequate math background,
22 which most of us I would hope have, could have run that analysis themselves. You didn't have to
23 go through some committee. If you wanted to do a functional analysis on a district, you had all of

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1 the data. You could have done it yourself. The choice not to do so does not impugn the good
2 work of Chair Leek and his team. More importantly, the question is why did we not do it?
3 There's a reason. A, it's not required. It's not the law. But a functional analysis requires the
4 importation of partisan data, of elections data. We're supposed to do this process without paying
5 attention to that except in those 30 districts, where we are. These maps were drawn without
6 consideration of that. To do that in those other 90 districts would have brought that effort in. This
7 is a great work product that many people have worked hard on. I want to congratulate Chair Leek
8 for the great job that he's done as well as his team. These are legally compliant maps and with
9 that, I ask for your favorable support on those maps.

10 The Speaker: Leader Grant, you're recognized.

11 Michael Grant: Thank you, Mr. Speaker. I yield the remainder of our time to the chair.

12 The Speaker: Representative Willhite, you are recognized.

13 Matt Willhite: Thank you, Mr. Speaker; I'd like to yield the floor to the member from the
14 99th district, Representative Jenne.

15 The Speaker: Leader Jenne, you are recognized in debate.

16 Evan Jenne: Thank you Mr. Speaker, members, I would like to talk to you a bit about
17 what Floridians deserve and what they got. I personally believe that every single Floridian,
18 irrespective of where they are from, irrespective of their political affiliation deserves to have
19 their voices heard. They deserve to have their right and freedom to speak to relevant committees.
20 But what did they get? They got public input if you could drop everything, travel to one of the
21 most inaccessible state capitals in the entire nation and that is the same public that can barely
22 afford affordable housing at this point the same public that we ignore when they come up asking
23 for relief on their rent. Now I am very thankful that the citizens of Tallahassee had the

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1 opportunity to come to the capitol and speak. I love Tallahassee. I think it gets a bad rap. I think
2 it's one of the most lovely cities in all of Florida. But what about the folks in Pensacola, what
3 about the folks in Tampa, what about the folks in Broward County, what about the folks in
4 Miami-Dade and everywhere else in between all the way down to Key West? What about them?
5 They don't have that same right to come and petition their government. So let's talk about what
6 Floridians deserve again because I think they deserve a website that accommodates millions of
7 language minorities in the state of Florida. I believe that website should be easy to use and
8 functional. What they got, a website nearly devoid of any language other than English. I mean
9 the actual redistricting PDF was still only in English a week and a half, two weeks ago. When the
10 process has been done, the cake's already in the oven it's being baked at that point and it was
11 only in English. Have you actually taken a second to look at it? I know I have, I know probably a
12 lot of you have. I think it probably falls between Byzantine and impossible. What do Floridians
13 deserve? I believe they deserve a collaborative process to drawing this map and the policy
14 making as follows. But what we gave them, a map drawn in the dark we don't know who was
15 directing it. We have heard commentary yesterday that some attorneys made some changes but
16 they can't be explained on the floor. Can't be explained, just have to trust us. That's the right
17 thing to do and I heard that ten years ago when two out of three maps were roundly rejected by
18 the Supreme Court. So, what do Floridians deserve? How about more than two or three days to
19 review a map that is foundational to the very concept of democracy in the state of Florida. We
20 had in committee last week part of this bill. That bill and that map was three days old when it
21 reached committee. Today members it's ten days old, ten days old on data that covers the entire
22 Floridian peninsula and the Panhandle, the entire thing and we had ten days to review all of those
23 numbers. We had ten years to get this right. Ten years. Now we are dealing with a map that was

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1 created ten days ago. How do you expect anyone to filter through all of that information. What
2 do you expect to happen? Because I have been in this process [audio breaks 00:56:49-00:56:51]
3 you expect or actually two. Ignorance and acquiescence. You will find neither of those in the
4 back rows. What do Floridians deserve? They deserve to know what data was and was not used
5 in the creation of these maps. Why wasn't readily available data used to determine where Haitian
6 Floridians lived in this state. That same question except overlay Hispanic Latino Floridians, that
7 same question overlay African American Floridians. We have that data, so why not use the
8 American Community Survey. We used it ten years ago, the data's good and it helps identify and
9 make sure that we have representation for all communities in this state. There was nothing to
10 stop anyone from using it except, except poor marching orders. Not using it has allowed what I
11 believe to be an unconstitutional map to arrive on this floor once again. Why do I believe it's
12 unconstitutional, because I believe it is an easy provable violation of the Voting Rights Act. I
13 believe it is an easily provable violation of the tier system in place within the Fair Districts
14 Amendment in Florida's Constitution. Both of those documents have very clear vote dilution
15 prohibitions that prevent the packing and cracking of minority voters under certain conditions
16 mandated by those documents they must create new minority access seats. There is no evidence
17 that the House has followed these mandates. Now we just heard a little bit earlier about how
18 Hispanic Floridians have only jumped 3% when you look at the overall. Well, here's the news.
19 Let's do a little more math. Let's continue down that path that there was only a 3% increase, 3%
20 of a 120 is 3.6 that means somewhere between 3 and 4 Hispanic access seats should have been
21 created. Using the same math that we just heard moments ago; 3.6 and how many did we get?
22 Zero, zero. So I appreciate math and I will just follow it to its ultimate end. We look at that and
23 what did they get, not a single additional protected Hispanic seat, not a one. The same thing is

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1 happening to African Americans on a smaller scale and the complete, and it is admitted and
2 unnecessary, overlooking of our Haitian Floridians. Completely overlooked in this entire
3 process. Members I get tired standing up here and saying don't vote for, this don't vote for that. I
4 really wish I could just vote for this. I really do. I wish there was a map in front of me I could
5 vote for. But as I review the multitude of process abnormalities that have occurred over the last
6 month it shows me that I cannot. When I review the growth of minority populations and the lack
7 of proper representation evidence in the maps that demands that, I cannot vote in favor of this
8 bill. And I would urge every member on this floor to reject this map and begin the work on
9 creating new maps. When they are done with that, creating an independent redistricting
10 commission, because I believe that is the only true path to fair districts. Thank you so much Mr.
11 Speaker.

12 The Speaker: Representative Willhite you are recognized.

13 Matt Willhite: Thank you Mr. Speaker I would like to yield the floor to the member from
14 the 47th District, Representative Eskamani.

15 The Speaker: Representative Eskamani you are recognized in debate.

16 Anna Eskamani: Thank you so much Mr. Speaker, and believe it or not, members, I will
17 be brief. So I appreciate the opportunity to speak on my opposition to these maps that we are
18 going to be voting on in just a little while. So I am going to take you back in history a little bit to
19 last decade. Well little Anna Eskamani was a college student at the University of Central Florida,
20 go Knights. Actually, it was that space where I first got engaged in the redistricting process as an
21 advocate. I was attending what were the public hearings in district about the maps. I remember
22 being given the opportunity as a 20-year-old to speak on behalf of the communities that I care
23 about and continue to care about. And what my recommendations were on how to craft the maps

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1 where they governed us for the next 10-years. So, one of my biggest pieces of advocacy in this
2 process has been why was public access limited throughout this endeavor? I know the feedback
3 from committee staff and committee leaders is, there's a website there is all these tools of
4 engagement, but I won't repeat what my colleagues have already said when it comes to concerns
5 around what we made available this go around. The emphasis on how important it is to make
6 sure that this once every ten years process is one that every person can have clear engagement
7 and access and have it available in multiple languages and ensure that we are taking that
8 feedback into consideration. But we are bring government to you verses the assumption that
9 folks will just find us. Because in my now, short, four years of service one of the lessons I have
10 learned is I can't expect people to know what they don't know. If folks don't realize this is
11 happening, they don't understand what the process is it is up to us as public servants to unpack
12 that and bring it to them. So, I don't think that was a job well done here in this process. Now, to
13 the heart of my concerns I am going to echo Representative and Senator Geraldine Thompson
14 along the fact that with population growths in Florida in more diverse directions we don't see
15 that reflected in the maps. My understanding too is that a decade ago we did consider racial
16 minorities and language minorities to be protected, integrated those elements into the drawing of
17 maps ten years ago. The Legislature even provided percentages of the Haitian population in each
18 district. Something that I have not seen this session. So, this is such a beautiful state, such a
19 diverse state and other points that have been made by the courts speak to the fact that you don't
20 necessarily have to have, for example, a majority Black district for those electorates to choose a
21 candidate of their choice. But unfortunately what ends up happening in this process at times is
22 those voters are intentionally put into one district so they don't have voting power in surrounding
23 districts. It is my belief that with the population shifts in Florida we should have seen more

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1 minority access districts. The state has transformed in its diversity. It doesn't make sense that we
2 still have the same number ten years later. Again, it is not required and the court said this, If a
3 minority population can elect a candidate of their choice without a majority voting-age
4 population there is no need to maintain or create a majority-minority district. So I am concerned
5 about packing in these maps and for those reasons and the ones I already listed I will be voting
6 against the maps today. Thank you so much Mr. Speaker.

7 The Speaker: Representative Willhite you are recognized.

8 Matt Willhite: Thank you Mr. Speaker I would like to yield the balance of this block.

9 The Speaker: Members before we go to Leader Grant, let's take a pause for recognitions.

10 [Recognitions]

11 The Speaker: Members we are back in debate. Leader Grant you are recognized.

12 Michael Grant: Thank you, Mr. Speaker. Would you please recognize Representative
13 Sirois in debate.

14 The Speaker: Representative Sirois you are recognized in debate.

15 Tyler Sirois: Thank you very much Mr. Speaker, thank you leader Grant. I appreciate a
16 few minutes of your time this afternoon, members, to speak in support of the joint resolution
17 establishing state legislative districts and specifically the House maps that we discussed
18 yesterday. But there are a few things that I heard in debate that I feel compelled to comment on.
19 The first is this question of accessibility and I think it's important to point out that in terms of
20 public participation we launched a joint website with the Florida Senate, floridaredistricting.gov,
21 which has the data and the software that is used and available to us and the members of the
22 public to produce maps and our fellow Floridians did take the opportunity and the time to go
23 onto that website and to provide comment and to produce maps of their own. I think for

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1 somebody to suggest that they couldn't have used the same tools to produce amendments as a
2 part of this process, to say that, frankly, is misleading. The other thing that I would point out in
3 the same vein of accessibility and public input with the website, we have the testimony available
4 as a part of the committee process. But each of us as 120 members of this body have a role and
5 responsibility in terms of representing our constituents and I seem to recall every committee
6 meeting that I participated in, members were invited to share questions. To bring comments
7 forward, to share their concerns, to voice it in committee. Every memorandum that went out
8 related to redistricting encouraged members to bring their concerns, comments, and questions.
9 Not only to Chair Leek, but to committee staff.

10 I would also like to take a moment to talk about the substance of the bill here before us
11 today, which I think has gotten a little bit lost in the weeds. It should be said more than once that
12 the benchmark map includes 30 protected minority districts. And compliant with the law, the
13 map before us today has 30 protected minority districts. Eighteen of these districts are protected
14 Black performing districts, 12 are protected Hispanic performing districts. In addition to
15 maintaining these protections, the map before us today improves the visual and mathematical
16 compactness of many of these protected districts, to further balance Tier Two standards and, of
17 course, to maintain Tier One compliance.

18 For example, I would like to point to District 88 a protected majority-minority Black
19 performing district in Palm Beach. In the benchmark map, the district was a long and skinny
20 district running from Palm Beach Gardens in the north end of the county all the way to Delray
21 Beach in the south end of the county. This had the effect of splitting numerous cities along the
22 way. Members, the map before us today not only reconfigures and improves the protected
23 District 88, but also improves the other districts in the county. As a result, Boynton Beach and

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1 Delray Beach are now kept wholly within District 90, Lantana is wholly within District 87, and
2 Boca Raton is wholly within District 91. This is just one of the many, many ways the map before
3 us today is an improvement from the benchmark map. I want to thank Chair Leek and Chair
4 Byrd for their leadership and efforts over the past several months. I encourage all members to
5 vote in support of this map. Thank you, Leader Grant.

6 The Speaker: Leader Grant you are recognized.

7 Michael Grant: Thank you, Mr. Speaker. We remand the remainder of the time back to
8 the chair.

9 The Speaker: Members before we go to Representative Willhite, let me recognize a few
10 members for recognitions.

11 [Recognitions]

12 The Speaker: Representative Willhite, you are recognized.

13 Matt Willhite: Thank you Mr. Speaker I would like to yield the floor to the member from
14 the 49th District, Representative C. Smith.

15 The Speaker: Representative C. Smith, you are recognized in debate.

16 Carlos Smith: Thank you Mr. Speaker. Members I would like to start by talking about the
17 process. This has not been an open and transparent process. We needed robust public input.
18 There has been virtually no public access to how these maps were put together. Ten years ago,
19 the State Legislature hosted public meetings across Florida seeking public input. The Legislature
20 went from Pensacola to Tallahassee all the way east to Jacksonville. They went down to Central
21 Florida, Tampa, Miami, Palm Beach County, and the Florida Keys. Members, we were
22 everywhere ten years ago holding public meetings asking for input. Ten years later, zero public
23 meetings outside of the Florida Capitol, zero. So we've deviated from the standard legislative

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1 process. But the Legislature said don't worry, trust us, we're going to put these maps together
2 fairly. I want to speak to the State House map and address minority representation and the
3 tremendous growth of the Hispanic and Latino community. We had 12 Hispanic performing
4 districts ten years ago and 12 Hispanic performing districts now in this map. Yet our community,
5 *nuestra comunidad, el pueblo*, grew more than any other. One and a half million new Hispanic
6 and Latino Floridians. Floridians who are driving our state's economic growth. Who are leaders
7 and entrepreneurs and leaders in business and educators and leaders in healthcare. Where are our
8 new Hispanic and Latino districts? Are they in all 12 of the currently drawn Hispanic performing
9 districts? Are they all packed in there? Where did they go? Where is the data that shows us
10 where they went, data on where Latinos grew the most in our state? Where is the data on how the
11 Latino community is voting? So we had 12 Hispanic performing districts and 12 again ten years
12 later despite leading every other group in growth over the past ten years, and as Representative
13 Thompson mentioned before me, the minimum is not enough. The absence of retrogression
14 doesn't mean we have progression or progress. We can do better than the bare minimum
15 members. We need fair districts, and I cannot vote for a map like this one. Especially a map that
16 leaves my community, the Latino community, behind. That's why I urge you members to vote
17 down on this bill and pass a fair map. Thank you.

18 The Speaker: Representative Willhite, you are recognized.

19 Matt Willhite: Thank you Mr. Speaker I yield the floor to a member from the 108th
20 District, Representative Joseph.

21 The Speaker: Representative Joseph, you are recognized in debate.

22 Dotie Joseph: Thank you Mr. Speaker. So, I heard one of my colleagues talking about
23 math and you know the funny thing is most lawyers don't like math and generally I tend to be

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1 one of them except for the fact that in high school I was a member of Mu Alpha Theta, which is
2 the math – that’s it, the national math honor society. So I know how to play with my numbers. It
3 might take me a little bit longer than other folks, but I’ll get there. He talked about numbers, so
4 let’s talk about some of the numbers that he posited. Specifically referring to the Hispanic
5 population. He pointed out, let’s just assume his numbers are correct, that we went from 22% to
6 26% of the population overall in Florida, and while that might seem like a small percentage, that
7 percentage can equate to millions of people. For every House district, the estimation is about
8 180,000 people, multiply that by 120 districts. That’s a good like, at least, going by his
9 calculation, over two million additional people. Alright fine, let’s put that aside. I agree with him
10 that what matters more is where those people live. And you know what, wouldn’t it be great to
11 know where those people live? That’s the data that we have been asking for. When I asked about
12 how some of these numbers came about, I was told that those numbers were evaluated only in
13 the areas that were protected previously. That still doesn’t get us to where are we now. When I
14 say previously, benchmark numbers 2010. That still doesn’t get us to where we are now in 2022.
15 We have newer census data, so we should be able to use it. So if I wanted –

16 Another thing was, if you wanted to do a functional analysis yourself, you could have
17 done it yourself. But Chair Leek yesterday talked about how nobody in this room was qualified
18 to do a functional analysis, and not even the staff. And there were some elements that not even
19 the staff, the redistricting staff, who we’re relying on with these maps, had to rely on outside
20 counsel with these maps. So it’s very flippant to be like, well if you wanted to do it, you could do
21 it, but none of you all could do it either. I mean, anyway.

22 Before even getting to a functional analysis, part of the questions we were directing to
23 yesterday was that you need to do a threshold analysis on a couple of things, and I’ll just posit

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1 three: racially polarized voting, racial bloc voting, and minority voter cohesion. That's where
2 you know where the analysis needs to be done. By all accounts, outside of the benchmark
3 districts from 2010, that additional analysis may or may not have been done. If it was done, it
4 was not shared with us, and that was the decision that was made. If it was not done, then that's
5 problematic in and of itself.

6 Lastly, I wanted to just address this information – references to the ACS data as it
7 pertains to identifying Haitian Creole speakers as a language minority as required by the Florida
8 Constitution. At some point yesterday, the bill sponsor mentioned that at some point the minority
9 caucus or the Democratic caucus objected to the usage of that data and at the time the objection
10 of the usage of that data was because there was superior census data that tracked that information
11 in a more accurate way than what the ACS data did. This go-around the census data that we are
12 talking about is not yet available, therefore that superior data cannot be relied on. In court, we
13 have something we call best evidence. If you have superior information, you use that superior
14 information. If you do not have that superior information and that information is available in the
15 thing that you are trying to assess like a Tier One criteria under that Florida Constitution and the
16 Voting Rights Act, then you use what you have. The closest data that we have is the ACS data in
17 the context that we are sitting here today. In fact, if we are going beyond the 2010 analysis,
18 which is the last time we had this, we have ACS data that is done down to the census tract level
19 as late as 2019. So that's nine years updated from 2010. Sure it's not 2022, but it's the best
20 we've got. When I ask questions about were there any attempts to look at what other states may
21 have done where they also have language minorities, I got a vague answer that basically said, no.
22 Or if there was an attempt, it just wasn't shared with me. I don't know. The bill sponsor may or
23 may not address that in his closing. But to the extent that we can address required criteria in a

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1 way with data that is available, it would behoove us to do that, and while the bill sponsor said
2 that Haitian language minorities are included in this map in two particular districts, 107 and 108,
3 it gives us no information about how, if at all, they were addressed beyond those two districts out
4 of 120. We just don't know. We don't know where the Black people are, we don't know where
5 the Hispanic people are, we don't know where the Haitians are. Maybe we don't want to know.
6 But the Tier One criteria, which is the starting point, not the Tier Two, requires us to examine
7 where our minority populations are to ensure that they can elect the representative of their
8 choice. Thank you.

9 The Speaker: Before we go to Representative Willhite let's recognize – I want to pause
10 for some recognitions.

11 [Members made recognitions]

12 The Speaker: Welcome to the Florida House. Representative Willhite, you are
13 recognized.

14 Matt Willhite: Thank you Mr. Speaker, I would like to yield back the balance of this
15 block.

16 The Speaker: Representative Clemons from Representative Grant's desk, you are
17 recognized.

18 Charles Clemons: Thank you Mr. Speaker at this time we would like to yield the floor to
19 Representative Robinson from the 71st District.

20 The Speaker: Representative Robinson, you are recognized in debate.

21 Will Robinson: Thank you, Mr. Speaker. I rise in strong support of CS for CJR 100
22 related to the joint resolution of apportionment, because I am pleased with both our process and
23 our product. First quickly our process. We established an extremely effective and user-friendly

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1 website that provided valuable feedback and resulted in 19 folks drafting House maps. I
2 reviewed all 19 by the way. One actually came from one of my constituents in my district. We
3 held seven subcommittee meetings totaling over 16 hours of scheduled meeting time where we
4 learned about federal and state districting law, census information, and other relevant workshop
5 draft maps. We devoted an entire meeting to public testimony and input. For the main
6 redistricting committee, we basically did the same process. Held five meetings and conducted a
7 thorough process. In this once-in-a-decade process, the public for the very first time could create
8 and submit a map from their living room, and many did. Because of our exceptional process we
9 have an exceptional product. One that is constitutionally compliant.

10 As members of the Florida House of Representatives we all raised our hands to support
11 and defend the Florida and federal constitutions. I think it's important, maybe, to take a couple of
12 seconds to remind ourselves what Section 21 of Article III provides. And I quote, in establishing
13 legislative district boundaries, no apportionment plan or individual district shall be drawn with
14 the intent to favor or disfavor a political party or incumbent. The districts shall not be drawn with
15 the intent or result of denying or abridging the equal opportunity of racial or language minorities
16 to participate in the political process or to diminish their ability to elect representatives of their
17 choice. And the districts shall contain contiguous territory. This is called Tier One. And in
18 subsection (b), these districts shall be nearly equal in population as practical, compact, and where
19 feasible, utilize political and geographical boundaries. Or what is called Tier Two. I personally
20 take my responsibility very, very important to defend all portions of our Constitution, and in my
21 view, there are three critical improvements on this map and the basemark map.

22 First, with this plan before you, there are half of fewer Florida cities split than there were
23 in 2012. If we look at the compactness measures, in terms I had never heard of, by the way. In all

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1 three categories, compactness improved from the basemark map. You look at boundary analysis.
2 Up and down the board from the base map in 2012, massive improvements. But there is one
3 district that actually sticks out to me most particularly. It's in the Tampa Bay region and I'm
4 going to have to disagree with my friend from Brandon on this district. This district is the current
5 District 70. And it's a protected Black district that currently crosses four counties i a very
6 noncompact manner that frankly snakes its way through Manatee and Sarasota Counties,
7 splitting three cities in the process. The proposed House District 62 is a vast improvement over
8 the current configuration, as it includes two counties as opposed to four, eliminates that snake
9 portion of the district and keeps three cities entirely whole. All this while maintaining its
10 protected Black district as required by Tier One of the Florida Constitution.

11 Members, I am proud of both our process and our product. Our charge was to produce a
12 legally compliant and constitutional map. All while navigating and adhering to federal and state
13 constitutions, and federal and state law. I rise in strong support of this map because we met our
14 constitutional charge. After our vote and approval of this map. I will actually be proud to visit
15 with the folks of the new House District 62 and tell them that we did our job. We followed the
16 Constitution and we improved on your ability to be better represented in your district and in your
17 neighborhoods because of our process and our product.

18 The Speaker: Representative Clemons from Representative Grant's desk, you are
19 recognized.

20 Charles Clemons: Thank you Mr. Speaker, next in the lineup to yield the floor to
21 Representative Persons-Mulicka from the 78th District.

22 The Speaker: Representative Persons-Mulicka, you are recognized in debate.

23 Jenna Persons-Mulicka: Thank you Mr. Speaker. Members, I also rise today in support of

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1 the maps before you and I want to spend some time talking about the substance, since that's why
2 we are here. And I'm going to talk about how the process made the substance better. I'll build on
3 what Representative Robinson stated before. What me and others have debated today and talk a
4 little bit about that process and the substance. We have heard claims from across the aisle that the
5 process was somehow flawed or there wasn't enough time or data to thoroughly vet the maps
6 before you and I'll submit to you that those claims are unsupported by any facts. Even more
7 importantly, there has been no connection made between those claims and the substance of the
8 maps before you. For the public watching, I want to point out that the Chair's, Chair Leek and
9 the subcommittee chairs and their entire team and staff were available to all members from day
10 one to answer any and all questions and have discussions on districts and the maps. I called up
11 the staff, I met with them on WebX, I had questions. And I got answers. I had the pleasure of
12 serving on the State Legislative Redistricting Subcommittee. It was a true honor. I learned a lot
13 in every one of our meetings. I was able to witness firsthand the excellent feedback that we had
14 committee members from across the aisle, on both sides of the aisle. I witnessed how that
15 feedback was taken into consideration to make our maps, which are already better than the
16 benchmark, as we heard from Rep. Robinson, to make these maps even better. As an example,
17 we had a committee member who brought up concerns regarding Miami Gardens. The question
18 was, can we keep Miami Gardens whole, or can we split it fewer times. It was a very compelling
19 argument and at that time the map would split Miami Gardens into four districts. With the next
20 stop, changes were able to be incorporated and when the map went to the full Redistricting
21 Committee, Miami Gardens was only split into two districts. It went from four to two based on
22 comment in the subcommittee.

23 That feedback not only improved the Miami Garden situation, but added additional

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1 benefits. Because of that feedback in the map, we were able to keep another district, District 105,
2 entirely within Broward County. So that now the map before you has only one district that
3 crosses the Miami-Dade-Broward County line. The benchmark, in comparison, has four such
4 districts, one of which spanned coast-to-coast, connecting Collier, Miami-Dade, and Broward. In
5 the map before you, we don't have that coast-to-coast district, but rather only two districts in the
6 map before you cross the Miami-Dade County line, being 104 and 120. And 120 has to cross the
7 line, because it's made entirely of Monroe County, which is too small for a single district.

8 So members, I present before you today that the maps are not only constitutional and
9 legally compliant, and not only an improvement upon the benchmark maps that we started with,
10 but were made better throughout the process based on member feedback, and I'm proud of the
11 process that we went through and I'm proud of the maps before us. I congratulate the chairs and
12 their entire teams for their hard work, and I ask you to join with me today to vote in favor of
13 these great maps. Thank you.

14 The Speaker: Representative Clemons from Representative Grant's desk, you are
15 recognized.

16 Charles Clemons: Thank you Mr. Speaker. For the benefit of the House, we will yield
17 back five minutes and 20 seconds.

18 The Speaker: Members before we go to Representative Willhite, I will recognize
19 Representative Rizo for a recognition, you are recognized.

20 [Recognitions]

21 The Speaker: Representative Willhite, you are recognized.

22 Matt Willhite: Thank you Mr. Speaker, I would like to yield the floor to the distinguished
23 Representative from the 63rd District, Representative Driskell.

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1 The Speaker: Representative Driskell, you are recognized in debate.

2 Fentrice Driskell: Thank you Mr. Speaker. Members, good afternoon. It's been stated that
3 this is the most important thing that we do. In fact, we only do it once every decade and I have
4 had the honor of working with many of you now for going to four years. So you know that I take
5 my job very seriously and I take the job that we do in this chamber very seriously. It is out of that
6 spirit that I just want to see us get this right. Because I don't believe that we have actually done
7 everything that we could do or should do to get this right, I'll be down on these maps today. We
8 talked a lot about or you heard a lot about, in questions yesterday, and then also in debate today
9 that there was more data that we'd wished we had and I wanted to put a finer point on that. What
10 we needed to do the job right data on where Haitian Creole speakers are. Data on where Haitian
11 communities are. Where the communities grew that most and where people lived the most and
12 data on how these communities vote. Data on where the Hispanic or Latino communities grew
13 the most. On how compact Hispanic and Latino communities are. Where the communities grew
14 the most and data on how these communities vote. Data on where Black communities grew the
15 most. Data on how compact Black communities are, where the communities grew the most and
16 data on how these communities vote. We were told that there was functional analysis performed
17 on the 30 minority access seats that were the benchmark. But we were not a part of the policy
18 decision that was made in terms of what went into that functional analysis. That is what I
19 understand to mean policy decision. That's what I mean when I talk about that. That wasn't my
20 input, that wasn't my caucus's input, that wasn't the Black caucus's input.

21 One piece of analysis that we did not do is racial voting pattern analyses or racially
22 polarized voting analyses. According to *Thornburg versus Gingles*, which is the first Supreme
23 Court to interpret the 1982 amendments to the Voting Rights Act, incorporating the results test,

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1 racially polarized voting is the evidentiary lynchpin of a vote dilution claim. That is why it is so
2 important. A racial bloc voting analysis was required to determine if minorities vote cohesively
3 and if whites bloc-vote to defeat minority-preferred candidates, two of the three *Gingles*
4 preconditions for establishing illegal vote dilution. That is why such an analysis is so important.

5 And we were given performance analyses on those 30 districts, as they are right now, but
6 the challenge is that we weren't a part of the policy decision in terms of what to take into account
7 in conducting that performance analysis. Well why does that matter? That matters because you
8 need that analysis to understand whether or not the maximum number of minority access district
9 maps were drawn. We are here about to vote these maps out on the floor and we still don't know
10 whether or not there could have been more minority access districts in this map. Members, that's
11 a problem. How do we know that we did the best that we could? And how did our redistricting
12 committee seek input from Black communities and Haitian communities, Latino communities,
13 Jamaican, Caribbean. How did we do that? Candidly, at the start of the process, I was very
14 excited about the redistricting website. Probably like many of you I pushed it out over email and
15 social media. And was optimistic that it could be a useful tool in collecting meaningful feedback
16 from our communities. But the fact remains that in-person meetings and us going out into the
17 communities as a Legislature would have been the best tool. That is how we could have done our
18 best. We could have done a road show as was mentioned from the Keys all the way to the
19 Panhandle. We didn't have access. We did not use software and expertise to use non-census
20 datasets such as the American Community Survey to gap-fill our missing data. That's also
21 information that was needed to do the job right. Now there was a policy decision made not to use
22 ACS data, but I wasn't part of that policy decision. My caucus wasn't a part of that policy
23 decision. The Black caucus wasn't a part of that policy decision. The fact remains that there were

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1 policy decisions made before we were ever shown copies of the actual maps. When you consider
2 that we also needed language accessibility for all Floridians, particularly for Haitian, Creole, and
3 Spanish speakers. That's also something to take into account in terms of information we needed
4 to do the job right. Then we reflect, members, on the fact, I echo that – that we had ten years. We
5 only do this once every ten years. We owe it to ourselves to do the job right. And that means if
6 that we don't have the data that we needed from the census, then we go out and get the additional
7 data that we need. We're the Florida Legislature. You mean to tell me we don't have the
8 resources to do that? I know that we do and that we can. So members, I tried to put a finer point
9 on it so you could understand better, perhaps, what is meant when we talk about additional data
10 that was needed to do the job right. We know that these maps will go to the court for review. If
11 past history is any indicator, they likely will be subject to litigation. I can tell you as a litigator, I
12 always prefer to put my clients in the best position so that when they walk into the courtroom
13 they can have some confidence in their claims. Members, do we have enough confidence in our
14 claims in terms of these maps? It seems that we have very different perspectives on these maps
15 and what was needed.

16 Yesterday, you heard me ask a series of questions regarding some districts in South
17 Florida, around, like, District 114, 115, 116, 117, 118, I think, thereabout. The reason why I
18 honed in on these districts is because when you look at them with the eye test, with compactness,
19 they don't look very compact. They look a little irregularly drawn. Some of them have
20 appendages. And when you look at their compactness scores under the different ways to analyze
21 those, whether it's Reock, Convex Hull, or Polsby Popper, these maps look like outliers. And the
22 questions that I asked specifically went to compactness and whether or not we took into
23 consideration if we lopped off an appendage and tried to make it pass the eye test better, and

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1 look more compact, what would that have done to the performance for minority voters in those
2 districts. That's just one example of one geographic region in the state where I believe we could
3 have done a better job.

4 And the bottom line is that we do have the time to do a better job. So, when we consider
5 the congressional map that surely is to come, members, we are going to have another shot at this.
6 We are going to have the opportunity to take our time, to do a better job, to make sure that we
7 access the data that we need to do our job right. I have the faith and confidence that if we put our
8 minds together and we're willing to work together towards that end that we could accomplish it.
9 For we are the Florida House. Thank you, Mr. Speaker.

10 The Speaker: Before we go to Representative Willhite, members I want to recognize
11 former representative, now Senator Bobby Powell. Welcome back to the Florida House.
12 Members, let's take a brief pause for some recognitions.

13 [Recognitions]

14 The Speaker: Representative Willhite, you are recognized.

15 Matt Willhite: Thank you Mr. Speaker, I would like to yield back the balance of this
16 block.

17 The Speaker: Representative Clemons, you are recognized from Representative Grant's
18 desk.

19 Charles Clemons: Thank you Mr. Speaker. We will yield back the balance of our final
20 block.

21 The Speaker: Representative Willhite you are recognized.

22 Matt Willhite: Thank you Mr. Speaker. In the interest of fellowship with my colleagues,
23 we are going to yield back the balance our time.

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1 The Speaker: Representative Clemons from Representative Grant's desk, you are
2 recognized.

3 Charles Clemons: Thank you Mr. Speaker. That is contagious and we will yield back the
4 balance of our time as well.

5 The Speaker: Members, that concludes debate. Representative Leek, you are recognized
6 to close.

7 Tom Leek: Thank you Mr. Speaker. Members, I don't frequently give closings on bills
8 that I have, but as has been stated here, this is the most important thing that we do. It's important
9 that we engage, it's important that we discharge our constitutional responsibility to engage in the
10 redistricting process. I've had the opportunity to reflect on some of the discussion yesterday and
11 there were a couple of things that I wanted to point out. These maps and our process used a
12 consistent methodology, just like we did a decade ago, applied across the entire map. We
13 observed and protected Tier One above all else. We balanced the co-equal criteria of Tier Two,
14 whether it was keeping counties whole or cities whole, improving mathematical and visual
15 compactness. Using roadways, waterways, railways, all to find equal population.

16 It's been asked several times, who drew the map? Let me introduce you, I have been
17 asked that question from the beginning of this process, it seems like I've answered it a hundred
18 times. Ms. Kelly, Mr. Poreda, and Mr. Langan drew the map, and so did you. Through our
19 normal legislative committee process, so did you. I think the real question you wanted to ask but
20 you didn't ask was, were there any outside or political operatives who engaged in the drawing of
21 these maps? And the answer is an emphatic no.

22 I want you to think for a minute about our redistricting process, because this is not your
23 father's redistricting process. This is not the same process we had ten years ago, twenty years

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1 ago, or thirty years ago. This is a new process. We have the benefit of our prior history. I want
2 you to think about the rules that we have. Many states, unlike ours, don't have similar rules.
3 Some states have a single rule, you must redistrict. Think about it as an open field and your uncle
4 saying here's a go-cart go have fun. The states with no rules you can go out and you can do
5 donuts in this corner, you can do donuts in that corner, you can race as fast as you want from
6 right to left, or left to right. Florida is not like that. Florida is like the Tomorrowland Raceway at
7 Disney. It's a little car, goes really slow, you can ping a little bit left, you can ping a little bit
8 right, you can step on the brakes, but you can't fall off the rails. That's the way the rules are in
9 Florida.

10 I want to talk about the opportunities to engage, because my biggest disappointment is
11 the lack of engagement in this process by some members. Now, there are 62 members on the
12 three committees, over half of this body sat on a committee in redistricting. We had teaching
13 sessions, where we spent hours going through how to use the website, how to access the data.
14 We had our lawyers come in and walk through the law and teach us how we had to utilize the
15 data that we had to comply with the law. And we had hours upon hours of opportunity for
16 members to ask questions. Our staff had 46 individual meetings with members. 46. 29 of which
17 came from the minority caucus. We had 320 public comments submitted. We had a total of 91
18 maps submitted through the website, 20 on the State House maps alone.

19 I want to commend you for the quality of yesterday's questions. For those of you who
20 chose to engage, we haven't seen a level of engagement like that until we got here. And for those
21 of you who put thoughtfulness and asked deliberate questions, I want to say thank you. So, here
22 we are. Now it's time to vote on the bill. Some of you will vote yes because you think the bill or
23 know the bill is legally compliant. Some will vote no. But you're going to vote no on this bill,

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1 and if you're going to vote no on this bill, you should at least ask yourself why. Why are you
2 voting no on this bill? Can you point to anything in this map, any district, any line, and say that
3 that district, that line is unlawful? And if you can't, and you're still voting no, you need to think
4 long and hard why you're voting no. And if you can, if you can point to a line on that map or a
5 district on that map and tell us what's wrong with it, where have you been? Not a single
6 alternative map was submitted. So, we didn't have the data we couldn't – listen, you know who
7 was able to figure it out? The public. You know who else was able to figure it out? Your
8 companions in the Senate.

9 What you have – oh wait a minute let me go back to a question. I heard someone ask,
10 what did you deserve, what did you get? I think that's a great question. And our constituents
11 should be asking that. What did you deserve, what did you get? And maybe rather than re-dredge
12 up the sins of our predecessors, and thoughtfully engaging in the process. Maybe rather than
13 point to the ghost of alleged wrongdoing that can neither be seen nor proven. Maybe what they
14 deserved was someone to engage in the process. So now it's time to confront the reality of the
15 maps that are before you. Because these maps are good maps, they're legal maps and they're
16 constitutionally compliant maps. And members, I urge you to vote up on the resolution. Thank
17 you.

18 The Speaker: Members, Representative Leek having closed on his bill, the question now
19 recurs on final passage of CS for SJR 100. The Clerk will unlock the machine and members will
20 proceed to vote. Have all members voted? Have all members voted? Clerk will lock the machine,
21 announce the vote.

22 Clerk: 77 yeas and 39 nays, Mr. Speaker.

23 The Speaker: Show the bill passes. Congratulations Chairman Leek. Congratulations

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1 Chairman Byrd to your committee as well for all your hard work. Representative Renner, you're
2 recognized.

3 Paul Renner: Mr. Speaker, I move that CS for HJR 7501 be laid on the table and that we
4 immediately certify CS for SJR 100 to the Senate.

5 The Speaker: Representative moves that CS for HJR 7501 be laid on the table and that we
6 immediately certify CS for SJR to the Senate. All in favor say yea.

7 Multiple speakers: Yea.

8 The Speaker: All opposed no. Show the motion is adopted. Read the next bill.

9 [01:58:40]



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