

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CONGRESSIONAL REDISTRICTING SUBCOMMITTEE MEETING

THURSDAY, NOVEMBER 3, 2011

Transcribed by:

CLARA C. ROTRUCK

Court Reporter

1 T A P E D P R O C E E D I N G S

2 REPRESENTATIVE LEGG: Good morning. The
3 Congressional Redistricting Subcommittee will
4 come to order. Robert, will you call the roll?

5 THE CLERK: Representatives Abruzzo?

6 REPRESENTATIVE ABRUZZO: Here.

7 THE CLERK: Albritton?

8 REPRESENTATIVE ALBRITTON: Here.

9 THE CLERK: Brodeur?

10 REPRESENTATIVE BRODEUR: Here.

11 THE CLERK: Burgin?

12 REPRESENTATIVE BURGIN: Here.

13 THE CLERK: Chestnut?

14 REPRESENTATIVE CHESTNUT: Here.

15 THE CLERK: Fullwood?

16 REPRESENTATIVE FULLWOOD: Here.

17 THE CLERK: Goodson?

18 REPRESENTATIVE GOODSON: Here.

19 THE CLERK: Holder?

20 REPRESENTATIVE HOLDER: Here.

21 THE CLERK: Horner?

22 REPRESENTATIVE HORNER: Here.

23 THE CLERK: Passidomo?

24 REPRESENTATIVE PASSIDOMO: Here.

25 THE CLERK: Plakon?

1 Reed?

2 REPRESENTATIVE REED: Here.

3 THE CLERK: Taylor?

4 REPRESENTATIVE TAYLOR: Here.

5 THE CLERK: Trujillo?

6 REPRESENTATIVE TRUJILLO: Here.

7 THE CLERK: Chairman Legg?

8 REPRESENTATIVE LEGG: Here.

9 THE CLERK: Quorum is present, Mr. Chair.

10 REPRESENTATIVE LEGG: Thank you, Robert.

11 Before we start, I would just like to
12 thank Representative Taylor for requesting an
13 eight o'clock meeting, and so we accommodated
14 your schedule this morning. I am kidding.
15 Thank you guys for coming this morning at 8:00.
16 I know it is an early, early meeting, but
17 hopefully we can get you out of here and get on
18 to your business I know that many of you are
19 looking to do today.

20 Members, today's meeting will consist of
21 the continuation of the discussion of the key
22 decision points and options for the
23 congressional districts, including where we
24 left off last time, the options for urban
25 communities, options for high growth

1 communities and options for minority
2 communities.

3 We are also going to take a look at some
4 of the tools and measurements that many of you
5 requested, and what staff has -- and what we
6 have available for us to use when evaluating
7 completed legislatively produced maps, which
8 after this week is really the next stop in this
9 process.

10 We are also going to hear a short
11 presentation regarding the page on
12 myfloridahouse.gov that you and the public will
13 be able to access to track the redistricting
14 bills as they move through the process.

15 Before we go any further, I want to take a
16 couple of minutes to talk about where we are at
17 this point. Members, what Chair Holder and I
18 have asked the staff to do is to have two
19 complete maps that we can have for a workshop
20 for our next meeting. We will make those maps
21 publicly available as soon as possible prior to
22 that meeting. We will then likely to have
23 another two to three workshops -- workshop at
24 -- two or three maps at the next workshop to
25 the committee meeting in December. So that

1 will give us four to five total plans to
2 workshop. There will be no votes taken at
3 these meetings.

4 At this point, no member bills have been
5 filed. If there are member bills filed by
6 November 14th, we will do our best to work
7 those into our December workshop.

8 I envision us proceeding forward in a
9 similar fashion to the way Appropriation does
10 where you can essentially refer to the workshop
11 options as the Chairman's proposals. I expect
12 then that all or most of them will be formally
13 introduced as PCBs where we will choose which
14 of the three to send to the big Committee.

15 If there is something that you would like
16 to have considered, please bring that forward
17 this week or in the November 14th Interim
18 Committee week.

19 To sum all that up, what this means is
20 that we are looking for -- looking at a vote on
21 PCBs, where we are looking at on the vote on
22 the PCBs in the subcommittees in the first week
23 of session. So between the December interim
24 week and session, you will have an entire month
25 to review the plans, share them with your

1 constituents and work on amendments, if need
2 be.

3 Chair Holder and I have directed the staff
4 to bring forward options in the following
5 manner reflecting on three basic fundamental
6 concepts: Strict adherence to federal law,
7 including that today there are five
8 majority-minority districts in Florida, and
9 that any plan we consider should include five
10 majority-minority districts; a plain reading of
11 Florida law as in simple and plain language
12 understanding as possible, to include specific
13 public input where legally appropriate.

14 I hope that kind of gives you an overview.
15 To kind of summarize all that, we are getting
16 into the real map-producing time. This will
17 kind of be the last part where we kind of look
18 over the concepts and we are actually going to
19 go start looking at maps.

20 With that, before we get into kind of the
21 staff presentations on some of these concepts
22 and some of the tools, are there any general
23 questions about kind of the road map?
24 Representative Passidomo.

25 REPRESENTATIVE PASSIDOMO: Thank you, Mr.

1 Chair. You know, I was thinking about this,
2 when we're asking staff to bring up some maps
3 for us to review, I remember at our last
4 meeting, and I think it was Representative
5 Albritton suggested that we use county boundary
6 lines as sort of the starting point, and then I
7 also -- what I would like to ask staff to do as
8 well is to think about this -- when we had all
9 those public hearings, members of the public
10 came up with all kinds of boundary lines that
11 were not just county. There was a number of
12 city boundary lines that were discussed and
13 geographical boundary lines, such as bodies of
14 water, you know, lakes and rivers, and even
15 highways. So when we look at maps, I would
16 like to be able to compare and contrast the
17 county lines and how they compare to city
18 boundary lines and other geographical boundary
19 lines when we are looking at the maps. Thank
20 you.

21 REPRESENTATIVE LEGG: Excellent point. We
22 will ask staff to incorporate some of that.
23 Representative.

24 A VOICE: I would like to, if I could,
25 maybe take that one step further. We did

1 receive, and I think you are absolutely
2 correct, a lot of good input from the public,
3 and I think it would be incumbent on us, either
4 this panel or ask staff, to take a look into
5 that public input and try to define what -- you
6 know, what direction they are giving us, what
7 best practices they have been utilizing, be a
8 good representation of their input and the
9 importance that holds for us. That way, when
10 we put our three maps forward, that we can at
11 least verbally articulate what it is, I mean,
12 what best practices did we use to build these
13 maps going forward.

14 REPRESENTATIVE LEGG: Excellent point.
15 Further comments or questions or statements?

16 With that, Representative --
17 Representative, gave you a demotion -- Alex, go
18 ahead.

19 REPRESENTATIVE BERNARD: Mr. Chair?

20 REPRESENTATIVE LEGG: Representative.

21 REPRESENTATIVE BERNARD: While he is
22 coming to the podium, I just want to make sure
23 I understand the process, and I'm going to try
24 to sum it up. Two more workshops, and then we
25 plan on voting the first week of session on

1 those particular maps?

2 REPRESENTATIVE LEGG: Starting --
3 excellent point. Kind of the road map is --
4 and like most things, there is some latitude
5 that things could happen in a little bit of
6 change, but the general gist of it is that
7 starting next week, we will have maps, and we
8 will start looking at those maps and hearing
9 comments and a suggestions from you -- you
10 members here on those maps that are kind of
11 drafted to the proposals. And then as we move
12 further down there, we are going to have each
13 map -- each couple of weeks. The goal is the
14 first week of session, by the first week or on
15 the first week of session, to have the minimum
16 of three maps given to the big Committee for
17 their consideration. That is the deliverable
18 date for us.

19 REPRESENTATIVE BERNARD: Okay. And as the
20 maps are being prepared, will we be getting
21 these maps as soon as they are prepared, or are
22 we going to wait until we come back that week,
23 and at that meeting, we will just be handed the
24 maps?

25 REPRESENTATIVE LEGG: It is my desire, as

1 soon as we have them available -- Chair Holder
2 and I have discussed this -- to make them
3 available to you guys as soon as we have them
4 available.

5 Alex.

6 MR. KELLY: Thank you, Mr. Chair and
7 members. And, again, we'll be continuing
8 last -- the last meeting's discussion regarding
9 more specific options per the items that you
10 had brought up at one of your previous meetings
11 for the congressional map. And last meeting,
12 we covered options for the Jacksonville area,
13 for the Tampa/St. Pete area and for the
14 Orlando/central Florida area.

15 So this week, we will be looking at
16 options for southeast and southwest Florida.
17 And what is unique about this region of the
18 state, based on the different number of legal
19 considerations that come up, is that it is very
20 difficult to separate in southwest Florida or
21 southeast Florida one decision from the next.
22 It is very difficult to segment one part of the
23 map and not affect a very significant legal
24 consideration, perhaps a Voting Rights Act
25 consideration for another part of the map. And

1 so much of the discussion here is going to
2 overlap, albeit I will try to work through the
3 map almost in a progression as though you were
4 drawing the map and what considerations might
5 be the most important.

6 So the first slide that you are looking
7 at, which is page two in tab four of your
8 packet -- and forgive us, we are going to go to
9 tab four today, and then later today we will go
10 to tabs one, two and three. But for tab four,
11 in the second page, I just want to take a look
12 at the region as a whole as to what we are
13 defining as the urban areas, the fast-growing
14 areas and the minority communities of
15 consideration in southeast and southwest
16 Florida.

17 Of course, your larger counties are
18 Miami-Dade, Broward and Palm Beach, all with
19 greater than a million residents; Collier, Lee,
20 Martin and St. Lucie are higher growth counties
21 in the region; and then in the case of Monroe
22 and Hendry County, they are part of the
23 discussion because they are specifically
24 covered, as is Collier, under Section 5 of the
25 Voting Rights Act. And so to that end, there

1 are considerations and relationships between
2 Monroe and Hendry that, albeit they are smaller
3 counties, are very significant in terms of --
4 for you approving a legally viable map.

5 Looking at the region as a whole, today
6 the region accommodates approximately seven
7 million Florida residents, and that equates to
8 a little bit more than ten congressional
9 districts. And, actually, in today's
10 congressional map, ten districts have the
11 majority of their territory, majority of their
12 geography, in this region; however, those
13 districts do go outside the boundaries of the
14 region. And so in terms of your overall
15 perspective, looking at southeast and southwest
16 Florida, you could take the point of view that
17 you may basically make a line in the sand in
18 terms of these counties and how you use them,
19 and you could, if you wanted, keep ten
20 districts entirely within this region.

21 This is just taking a look at the current
22 map on page four in your packet. Just wanted
23 to at the high level go over some of the
24 relative data about the current districts, and
25 then drill down a little bit.

1 Looking at the current map, you have three
2 Hispanic majority-minority seats all based
3 largely out of Miami-Dade County, although they
4 don't entirely stay in Miami-Dade, but based
5 out of Miami-Dade County, and you have two
6 African-American majority-minority seats, one
7 of which is largely based out of Palm Beach and
8 Broward, although it also extends into Martin,
9 St. Lucie and Hendry County, the other of which
10 is mostly in Miami-Dade and a little bit into
11 Broward County. And in addition to that, you
12 have in that area a Haitian-American population
13 that is significantly concentrated into one of
14 those districts, the Congressional District 17,
15 which comes out of Miami into Broward County,
16 which is, according to Florida law, a relevant
17 factor for your consideration.

18 And just to take a look at Miami-Dade and
19 how those districts interact with each other
20 today, if you look at the map on the screen, it
21 is page five in your packet, what you see is
22 the current configuration of districts, the two
23 sort of grayish-shaded districts in your
24 packet, they will show up a little better in
25 your packet than they do on the screen, those

1 are majority-minority Hispanic, as well as the
2 green district on the screen. The more
3 reddish/pinkish district is majority-minority
4 African-American, and that is the district that
5 contains a higher Haitian-American population
6 than other communities.

7 What the graphic on the right shows is it
8 shows where in Miami-Dade County you have large
9 numbers of registered-to-vote Hispanic
10 Floridians, and it is a key -- it is a key
11 facet in terms of creating a majority-minority
12 district that actually would perform and
13 actually would elect a candidate of choice for
14 the minority community, having Florida
15 residents who are registered to vote. And so
16 when you look at the current map and compare it
17 to where you have large concentrations of
18 registered voters, that is why all three of
19 your Hispanic majority-minority seats run into
20 the Tamiami, Fountainebleau, Doral area of the
21 map, because that is where your greatest
22 concentration of registered voters are.

23 And just looking at the next slide, which
24 is now page six in your packet, this slide
25 again shows the configuration of the current

1 districts and where the Haitian-American
2 community is largely concentrated, and that is
3 the sort of core of that Congressional District
4 17. So the district is largely designed around
5 that community.

6 Now, just moving up the coast a bit, the
7 next couple slides take a look at Broward and
8 Palm Beach Counties and the majority-minority
9 African-American seat that is largely
10 concentrated in those two counties, and
11 alongside of that, you see where those
12 concentrations of population are. And so the
13 district encompasses the Pahokee and Belle
14 Glade area, Riviera Beach and Palm Beach, and
15 also some of your cities, Lauderdale --
16 Lauderdale Lakes and Lauderhill in Broward
17 County. And so the district -- I should
18 mention, it goes into the Clewiston area as
19 well in Hendry County, which is your Section 5
20 compliance. And this is just an image on the
21 screen now of the Palm Beach County portion,
22 which again currently extends into Martin and
23 St. Lucie Counties.

24 And just moving over to the other side of
25 the region, the southwestern side of the

1 region, the -- one of the congressional
2 districts extends over into Collier County,
3 which, again, is a Section 5-covered
4 jurisdiction, and the graphic on the right
5 illustrates where the concentrations of the
6 Hispanic community are in Collier County, the
7 Immokalee area, and that community also extends
8 very much into Hendry County as well, although
9 the district does not extend into Hendry County
10 today.

11 So taking a look at options and thinking
12 about the various sort of legal requirements
13 that come up in south Florida, preserving the
14 majority-minority districts, complying with
15 Section 5 of the Voting Rights Act, there's a
16 number of points that collide and can make this
17 task of drawing districts, particularly in this
18 region of the state, a very difficult task.

19 So kind of walking through a natural
20 starting point to this is that where those
21 three Hispanic majority-minority seats
22 intersect. Today one of those seats
23 essentially cuts between the other two. In
24 this particular submission, map number 141,
25 actually a map that was just received two to

1 three days ago, this individual redesigns the
2 Hispanic majority-minority seats and actually
3 brings them together in more of a clean-looking
4 type shape in terms of as opposed to one seat
5 cutting through the others, in this particular
6 shape the seats come together in a more
7 geometric fashion using major roadways to
8 define the boundary lines. And there were a
9 few different plan submissions that attempted
10 to do this, making that intersecting point a
11 clean point, a more visible, understandable
12 point.

13 In this particular case, if you look at
14 page eight in your packet, in terms of data, a
15 relevant point here is that this individual not
16 only recreated three Hispanic majority-minority
17 seats, but in all three cases made sure that
18 the actual registered voter population was
19 greater than 50 percent in all three cases. In
20 terms of comparing this kind of proposal to the
21 benchmark of what exists today, there is a high
22 likelihood that these seats would truly still
23 elect Hispanic candidates as opposed to a seat
24 that perhaps diminishes that voter registration
25 below 50 percent and may potentially appear to

1 be one thing, but actually not produce that
2 result. But in this case, the plan author
3 actually achieved that secondary purpose. I
4 don't know if that was their goal in mind, but
5 they managed to do so by bringing all the
6 districts together in that area where
7 registered voter concentration is very high.

8 Now, in just a side note, in this same
9 particular plan, this individual did also
10 manage to recreate the Haitian-American
11 majority-minority black seat in Miami-Dade and
12 Broward Counties.

13 The next plan, plan number 131, this
14 individual managed to achieve the same purpose
15 regarding the Hispanic majority-minority seats,
16 did so in a slightly different fashion in that
17 this person actually brought the seats together
18 at a singular point, but still the basic -- the
19 basic idea of a more geometric type shape,
20 bringing the seats together, making sure that
21 they all meet that threshold of actually having
22 enough registered voters, hitting the
23 majority-minority threshold, but then also
24 making the shape a more clear, understandable
25 shape. So in terms of complying with the

1 Federal Voting Rights Act, in terms of also
2 trying to make the shapes -- the districts more
3 geometric, more understandable, more compact,
4 the two can work together in this area of the
5 state.

6 Now, in this case, just, again, another
7 side note, this particular map submission
8 actually changed the majority-minority seat in
9 Miami-Dade County quite a bit by running that
10 seat up to the Caribbean-American -- heavy
11 Caribbean-American communities in Broward
12 County. So it changed the shape of that
13 district quite a bit.

14 So now, thinking about how this impacts
15 drawing districts in Collier County and the
16 effect of the Voting Rights Act and the
17 majority-minority Hispanic seats on Collier
18 County, you have a legal standard which
19 requires you to consider the voice of the
20 Hispanic communities in Collier County and
21 their ability to elect a candidate of choice.
22 This particular map -- it was actually the
23 fourth map received -- did take a
24 majority-minority seat over into Collier
25 County. The prior two we looked at actually

1 did not do so. This -- this particular
2 submission did take that seat over into Collier
3 County and picked up the significant majority
4 of the Hispanic community in Collier County,
5 including the Immokalee area, and this
6 individual stopped the district on the Hendry
7 County line.

8 What that does, the practical effect of
9 that, of meeting that legal requirement, is it
10 leaves you then with anywhere -- depending on
11 how you draw that, a hundred, 150,000 residents
12 in Collier County who will end up having to be
13 in a different district. And so then it
14 creates questions as to how you would draw a
15 district in Lee County and couple that up with
16 Collier, because, of course, you can't go south
17 with the district.

18 Taking a look at different ways that you
19 might approach how you would draw that Lee
20 County district that is going to be
21 predominantly a Lee County district with a
22 significant Collier County community, this
23 individual map drawer chose to essentially draw
24 a very east-to-west line in Collier County, so
25 linking the northern part of the county with

1 portions of Lee, but in this case, they also
2 linked it very much with some of the rural
3 counties. Drawing a district like this,
4 there's not really one major population center
5 in that district that they created that -- for
6 Lee, Collier and the other counties.

7 That said, in drawing the district this
8 way, this individual did -- in plan number 69,
9 this individual did cut off the Hispanic
10 communities in Immokalee and those areas from
11 the Hispanic majority district. And this is
12 just a zoomed-in look at that same district on
13 page 12 in your packet. It is just to show you
14 that this individual basically took a roadway
15 and just cut straight across the roadway.

16 Taking a look at an alternative way to
17 draw a district like this, this particular
18 individual had taken the Hispanic
19 majority-minority seat much further into
20 Collier and essentially left just a
21 northwestern portion of the county otherwise
22 not in the district. This particular seat
23 encompasses most of Lee County, so it is very
24 much a Lee County seat, and the individual
25 chose to just leave out some of the more rural

1 northeastern portions of Lee County once they
2 got their population totals.

3 Another approach to this that didn't
4 appear in the public submissions so much, but
5 would be that you could utilize something like
6 Interstate 75 as a barrier in the district, but
7 what that would do is that would implicate that
8 you would run the district probably up somewhat
9 into Charlotte County.

10 So there are some different approaches.
11 Again, just wanted to give you options as to
12 how you might approach that kind of situation,
13 the legal compliance on one end, and then the
14 direction it takes you with how you deal with
15 the rest of Collier, Lee County and maybe even
16 Charlotte County or some of the rural counties.

17 Moving back now to the African-American
18 majority-minority seat that is in Miami-Dade
19 County, mostly in Miami-Dade County, a
20 particular organization submitted a map, map
21 number 43, actually at the meeting at
22 Miami-Dade College. This particular map
23 recreates the seat, although it does extend the
24 seat somewhat to the east in the Miramar and
25 Pembroke Pines communities. It was an

1 interesting analysis just trying to figure out
2 what the decision was in terms of extending the
3 seat -- I'm sorry, I think I said east. It
4 should be west, extending the seat further
5 west. The Haitian-American community in the
6 seat the way this was drawn did increase by a
7 couple percentage points. So it did -- it did
8 culturally change the district; again, a
9 relevant consideration in Florida law now.

10 In terms though of those two cities, the
11 current configuration, in fact, pretty much
12 most any submission that submitted this seat,
13 including this one, ends up splitting Miramar
14 and Pembroke Pines either way, so that effect
15 doesn't change, but, again, they moved the seat
16 somewhat west, and then it looks like went and
17 targeted specific communities in different
18 parts of the southern area of the seat.

19 And in plan 19, this is the configuration
20 that more frequently appeared in the public
21 submissions, which is more similar to the
22 current map right now for Miami-Dade and
23 Broward in terms of this majority-minority
24 seat. And this seat right here has a Haitian
25 population of just under 15 percent of the

1 district, and, again, thinking back to the
2 shaded maps you looked at before, this is the
3 majority of the Haitian-American community in
4 Miami-Dade County.

5 Moving up into Broward and Palm Beach,
6 page 16 in your packets, issues here very much
7 effect Hendry County as well, and so this
8 section of the discussion can't be done without
9 considering what impacts Hendry County, which,
10 again, is a Section 5-covered jurisdiction.

11 In this particular case, there is today a
12 majority-minority African-American seat in
13 those two counties. This individual took that
14 seat -- in plan 103 took the seat completely
15 out of Martin, completely out of St. Lucie,
16 completely out of Hendry, and left the seat,
17 the Riviera Beach community, Delray, Lantana,
18 heading down into Broward County, picking up --
19 if you almost think of today the current State
20 House map, if you think of Districts 92, 93 and
21 94, that is essentially the bottom part of that
22 map, if you are familiar with that area. That
23 is essentially those three districts in the
24 bottom part of this district right here. That
25 said, the fact that Hendry County is excluded

1 from this, the African-Americans in and around
2 Clewiston are excluded from this, would be a
3 consideration as to whether you could actually
4 take this step.

5 A contrasting submission to this, it was
6 actually the very first map that was submitted,
7 this individual left the district in Hendry
8 County, albeit that portion of Hendry County is
9 literally just Lake Okeechobee, there's
10 actually no people in that, so I am not sure
11 whether that was an accident on their part or
12 whether they even intended to go into Hendry at
13 all, but, again, just south of that portion of
14 Hendry County, just south of that portion of
15 Lake Okeechobee is Clewiston where there is a
16 significant African-American community that
17 could be put into the district. This
18 individual chose to use something that is more
19 similar to the current core of the district,
20 but, again, taking it out of Martin, taking it
21 out of St. Lucie, still achieving a
22 majority-minority district, and grabbing pieces
23 of the other plan, but using -- but also using
24 the Pahokee and Belle Glade communities. And
25 so this kind of district configuration has

1 several core communities in this district. You
2 have your Riviera Beach/West Palm area, Delray,
3 Lantana, Boynton Beach, Lauderdale Lakes,
4 Lauderdale Hill, and, again, Pahokee and Belle
5 Glades. So there's several core communities
6 spread out through the district.

7 And in taking this approach, one question
8 that just came up as we were analyzing this and
9 taking a look at it is if you were to take the
10 middle of the Delray Beach, that area -- if you
11 take that middle portion of the district out,
12 would there be enough between the northern and
13 southern boundaries to actually fit another
14 district in that area, and this shows up poorly
15 on the screen, it shows up better in your
16 packets on page 18, but this is actually an --
17 just a quick visual, quick mock-up of the fact
18 that, yes, actually, you could put an entire
19 district in between the northern and southern
20 ends of this configuration.

21 The importance of this is that -- the
22 relevance in terms of your consideration when
23 you are thinking about all the other districts,
24 creating compact districts that use city and
25 county boundary lines and any of the other

1 standards of Florida law, is that this
2 configuration does not upset your options as to
3 what you could do with the other districts. So
4 in terms of how this configuration works with
5 the rest of Palm Beach and Broward Counties, it
6 doesn't unnecessarily limit the other options
7 that you might have.

8 And the last -- the last slide regarding
9 Palm Beach and Broward Counties, it was the
10 31st map that was submitted to the Legislature,
11 the map was mainly interesting because this
12 individual only split four cities throughout
13 the entire state, which is quite a feat in
14 terms of map drawing. Some cities, because of
15 their boundaries, they are -- they are
16 sometimes not contiguous, they hook around each
17 other. It is very difficult to actually only
18 split four cities in the entire state. And in
19 Palm Beach and Broward Counties, this
20 individual didn't split any municipalities. In
21 doing so, it does show that if you think about
22 these ideas together and try to merge them
23 together into a cohesive majority-minority seat
24 and then other seats that perhaps very much
25 respect municipal boundary lines, which was a

1 predominant request in this area of the state
2 when you had your public meetings, and then
3 also just looking at does the majority-minority
4 seat otherwise -- otherwise move around the
5 other population and limit your options, in
6 fact, it doesn't. If you merge these
7 suggestions together, you have the freedom to
8 recreate the majority-minority seat, respect
9 municipal boundaries where possible, and
10 doesn't overall have a negative impact on your
11 freedom to build districts in this area.

12 Just moving up to Martin and St. Lucie
13 Counties, typically the suggestions that we
14 received kept Martin and St. Lucie Counties
15 together in the congressional map. In terms of
16 how you want to treat the whole region though,
17 there are some relevant differences to the way
18 people did this.

19 In this particular suggestion, this
20 individual in plan number 139, again, a plan we
21 just received recently, this individual likely
22 was building south to north, because they did a
23 greater division in Brevard County in this
24 particular seat, and so they likely were
25 building their Palm Beach southern districts

1 first and then had a little bit of population
2 left over, which is not uncommon in terms of
3 building districts in this area of the state,
4 and so this individual pushed north. If you
5 had an interest in compartmentalizing the state
6 into pieces, then you would want to push from
7 south -- so you would want to push from north
8 to south. So this suggestion would work
9 contrary to that if you wanted to, for
10 instance, make sure that you had truly ten
11 seats in the southern part of the state.

12 This particular suggestion, suggestion
13 number 136 on page 21 of your packets, does the
14 opposite. This suggestion does go from north
15 to south. So this individual was likely
16 building out of central Florida and then pushed
17 their way south, and so this district ends up
18 getting the rest of its population in Palm
19 Beach County to meet its equal population
20 numbers.

21 And then there were a few examples of
22 individuals taking the Martin and St. Lucie
23 County communities and going west with them.
24 And today, the district that relatively
25 encompasses much of that area does go

1 significantly west, and so there were some
2 suggestions to still take this district and
3 push it into some of the rural counties;
4 however, the two prior examples that you looked
5 at were, generally speaking, the common
6 suggestions to keep Martin and St. Lucie
7 together and to run the districts along the
8 coast somehow, keeping whole counties together
9 as much as possible.

10 And with that, Mr. Chair, that is my
11 presentation.

12 REPRESENTATIVE LEGG: Great. Any
13 questions? Representative Fullwood.

14 REPRESENTATIVE FULLWOOD: Thank you, Mr.
15 Chair.

16 When we were down in south Florida, Miami
17 in particular, there were a lot of folks who
18 mentioned drawing districts that reflect really
19 voting -- the -- kind of the voting population
20 nationally, I guess the voter performance
21 nationally. And since Miami-Dade typically
22 votes Democratic in national elections, but I
23 think three of the four Reps from Dade County
24 are Republicans, I mean, if all the other
25 criteria are met, then should we be looking at

1 creating districts in Dade County that reflect
2 the voting population -- the voting
3 performance, I should say, in that county?

4 REPRESENTATIVE LEGG: Alex.

5 MR. KELLY: Thank you, Mr. Chair.

6 Representative, you would be prohibited by
7 Florida law to try to create a district that
8 favored a particular political party. So your
9 -- the notion of creating a district to match
10 the voting performance and so forth in one way
11 or another would be favoring or disfavoring a
12 particular candidate or political party. Doing
13 so knowingly, with intent, the intent being the
14 key word, you would likely be prohibited from
15 doing something like that.

16 REPRESENTATIVE FULLWOOD: May I follow up?

17 REPRESENTATIVE LEGG: Follow up.

18 REPRESENTATIVE FULLWOOD: Okay. All
19 right. I just know that we heard a lot of that
20 from -- when we were taking public testimony,
21 so that is why I asked is people said we should
22 create districts -- districts that reflect the
23 performance of the vote. So thank you for the
24 clarification.

25 REPRESENTATIVE LEGG: Further questions?

1 Alex, would you like to go to the --
2 Representative Reed, I apologize.

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

5 I have one question. If we adopt a map or
6 a part of a map drawn by a member of the
7 public, do we need to worry about the intent of
8 the person who drew the map, or is it only our
9 legislative intent that matters?

10 REPRESENTATIVE LEGG: Alex.

11 MR. KELLY: Thank you, Mr. Chair.

12 Representative, it is your intent that
13 matters. It is an act of the Legislature.
14 Certainly you are welcome to consider anything
15 in factoring into whether you consider a
16 district or several districts, but at the end
17 of the day, a court of law should be
18 considering the intent of the Legislature,
19 because it is a legislative act.

20 REPRESENTATIVE REED: Thank you.

21 REPRESENTATIVE LEGG: Further questions?
22 Representative Taylor.

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

25 I want to follow up on that particular

1 instance. Alex, if a member files a map that
2 was drawn by a person from the public, don't
3 they have to have the intent of what that
4 person who actually drew the map and was filed
5 by a member, wouldn't they have to have that
6 person's intent, or now does that person's
7 intent becomes the member's intent?

8 REPRESENTATIVE LEGG: Mr. Kelly, if you
9 want me to take a stab at this first and I will
10 have a few -- Representative Taylor,
11 whenever -- if a member would file a map, or
12 even this Committee file a map, it becomes our
13 intent and it would be our due diligence to
14 adopt our intent. I would not recommend
15 blindly filing a map just as a courtesy to
16 someone and not knowing the rationale behind it
17 because, in essence, you will be responsible
18 for defending or advocating, either -- it
19 depends on your perspective, the lines that are
20 in that map. So to say you would have to
21 defend the intent of the constituent, it would
22 really become your intent or the intent of the
23 person filing that particular map.

24 Further questions?

25 Mr. Kelly, would you like to go to the

1 data portion?

2 MR. KELLY: Sure, yes, sir. Thank you,
3 Mr. Chair.

4 Members, we will be looking at tabs one,
5 two and three in your packets. What I will be
6 doing is I will be describing the document that
7 is in tab one using the PowerPoint that is in
8 tab two, so you may want to have both available
9 to you. The documents in tab three is a cheat
10 sheet maybe available for you for after the
11 meeting, a cheat sheet just to as a reminder to
12 what some of the terminology means in terms of
13 this is a very technical document, so just as a
14 reference.

15 The document in tab one of your packets is
16 a set of measurement tools that our staff have
17 created for your benefit to analyze the plans
18 that you workshop, that become PCBs, that get
19 voted on at every stage of the process. The
20 measurement tools speak to a number of issues
21 in Florida and federal law, and a number of the
22 basics that need to go into creating a
23 complete, legally compliant redistricting plan.
24 And then also, in terms of analyzing the law,
25 the document is meant to give you a lot of food

1 for thought, the ability to compare and
2 contrast how the standards may work with each
3 other, the realities of the maps for certain
4 communities and what perhaps the trade-offs
5 are, keep this county whole here and you end up
6 dividing this city here, so you can understand
7 those, so you can ask questions, so that you
8 can share this information with constituents
9 and share the actual real impacts of these, and
10 then, again, just so you can just, as always,
11 be engaged in the committee process and know,
12 relatively speaking, what it is that the maps
13 really do.

14 So in thinking about the information that
15 you are looking at in the document, tab one,
16 looking at the PowerPoint, the first thing you
17 see is the plan, the plan name, and that plan
18 name is important throughout the process. You
19 have seen this before and you have seen us
20 refer to map 104, map 140 and so forth. I just
21 want to very quickly go over what all of the
22 information means in the plan name. The first
23 letter is either an "S" or an "H," and that
24 indicates that the plan was received by the
25 House or the Senate. The second set of

1 information typically up to this point, always
2 up to this point, you have seen "PUB" for
3 public. That means that the public submitted
4 the plan. The plan then is either a
5 congressional, House or Senate plan, noted by
6 the "C" or "H" or "S." And then there is the
7 plan number, which is just the order that the
8 plan was received.

9 Now that you will soon be getting into
10 legislative plans, you will see some different
11 information. You will still see an "H" or an
12 "S" at the beginning, indicating that it came
13 from the House or the Senate. What you will
14 see, though, is you will see either if you --
15 if you actually put forth in a Bill or an
16 amendment, you will see your district number.
17 You will see, again, the "C," the "H" or the
18 "S." However, for legislative plans, you are
19 going to see everything in the 9000 series, and
20 that is just a quick cheat to know that, in
21 fact, that it came from someone in the
22 Legislature. So everything will be numbered in
23 the 9000s.

24 And in part two, My District Builder is
25 still open to the public even though Chair

1 Weatherford set a deadline of November 1 for
2 the public to get plans in for full
3 consideration. My District Builder will still
4 be open throughout the process, so it is very
5 possible that additional plans will come in, so
6 there is a different numbering series for
7 members of the Legislature. And the Senate
8 will be using a similar numbering, but the
9 House will use odds, the Senate will use evens,
10 as you are familiar with with traditional
11 legislation.

12 So in terms of the information that is in
13 the packet, most of what I will be describing
14 will be very much visible on the first page or
15 two of the document in tab one, which in the
16 rest of the document is the same kind of
17 information, but it goes district by district.

18 So in terms of the first bit of
19 information, you will notice the population
20 fundamentals of each plan. The total
21 population of the state is a little over 18.8
22 million people. You won't see in the process a
23 plan that has less than that total number,
24 because, otherwise, it would be an incomplete
25 plan, but that would be the first alarm bell

1 that something could be wrong with a plan that
2 has been filed if the population wasn't the
3 complete population of the state. The ideal
4 population in this case for a congressional
5 district is listed. If you were looking at a
6 Senate Bill or House Bill, you would be looking
7 then at the ideal population for a Senate map
8 or a House map.

9 The district remainder, there should
10 always be a district remainder of 22, because
11 five of the districts, you will achieve zero
12 population in terms of you can actually achieve
13 ideal, perfect population. In 22 of the
14 districts, you would be one person off that
15 population. So in 22 of the districts, you
16 would have to be just mathematically one person
17 off from the ideal.

18 The district population range, for the
19 congressional map, that is not going to show up
20 as a significant range. Theoretically, it
21 should be one person. If you were looking at a
22 House or Senate plan, you may see a greater
23 range.

24 When we talk about population deviations,
25 we always talk about the total minus and plus

1 above the -- below and above the ideal
2 population. So if a map is one percent above
3 the ideal population and two percent below,
4 then the range is three percent. So whenever
5 we talk about that, we are always talking about
6 the total range. And for legislative plans,
7 just for your reference, generally speaking, we
8 are working under the notion of having plans
9 that are about a four percent or less range, so
10 two percent plus, two percent minus. But,
11 again, for congressional, the idea is to see a
12 perfect population score.

13 So in terms of geography, another key to
14 following a perfect plan is to actually assign
15 the geography. When you -- if you go to file a
16 redistricting Bill or redistricting amendment,
17 per House rules and per procedures, if you --
18 if you filed a plan and there is a single
19 census block unassigned, it is not a complete
20 plan and it can't be filed yet. The procedures
21 that were adopted last April do allow that you
22 give staff the ability to correct a technical
23 deficiency. Let's say you missed a census
24 block that has no people in it along the beach
25 and you clearly meant to put it in a district

1 and that can be clearly discerned by looking at
2 it. You can give staff permission to fix that.
3 But through this process, if you intend to
4 file, let's say, an amendment, and the plan is
5 incomplete, generally speaking, that plan will
6 be returned to you. So in terms of meeting
7 deadlines for amendment filing, would be
8 careful not to walk in five minutes before a
9 deadline.

10 Your intellectual property, the plan that
11 you want to file is yours, it is exempt from
12 public disclosure until you file it. So in
13 terms of working with staff, we are here to
14 help in terms of making sure that any plan or
15 amendment you want to file is complete. We
16 would hate to be in a situation where you just
17 got in, you just beat the deadline, but your
18 plan is incomplete and you weren't able to file
19 it. So we are to help you in terms of if you
20 are filing an amendment, to make sure that your
21 plan is complete, to make sure that your maps
22 are contiguous and to make sure that they are
23 legally compliant. So, again, census blocks,
24 you should have every census block assigned.

25 You are always going to have in the

1 Florida's map one non-contiguous point. You
2 cannot make the Dry Tortugas contiguous. So
3 every map will always have one district that in
4 the software shows up as being non-contiguous.

5 The next few figures are pretty plain
6 language, the number of counties split, cities
7 split and VTDs split. So this just gives you a
8 basic high-level way of comparing plans to each
9 other and determining some of the immediate
10 pluses or minuses.

11 In the data set that you are given, it
12 will always be indicated the number of
13 districts that are -- achieve a certain
14 percentage African-American or Hispanic. And
15 so in terms of comparing plans, does this plan
16 maintain the number of majority-minority seats
17 and so forth, this data will indicate that to
18 you and give you a quick guide as to whether
19 some of those legal standards have been met.

20 In the interest of time, I will speed this
21 up a little bit.

22 In terms of compactness, there are a
23 number of different ways to analyze
24 compactness. Compactness is oftentimes
25 analyzed in both a quantitative and qualitative

1 fashion. In terms of what is in your packet,
2 it, generally speaking, starts with the more
3 quantitative and then moves into some of the
4 sort of quality issues when you think about a
5 legislator or congressperson being able to
6 effectively get to their constituents and just
7 literally effectively represent them. And in a
8 state like Florida, with the number of
9 geographical barriers that you have, that is a
10 relevant consideration.

11 So there are basically three different
12 ways that your packet analyzes compactness.
13 First, looking at the basic shapes of the
14 district, the circles and squares and other
15 shapes within the district itself. The next
16 looks at if you drew a circle around that
17 district, how big would that circle have to
18 effectively be to encompass the entirety of the
19 district. And then the last measurement looks
20 at if you drew the tightest shape possible
21 around your district, but kept straight lines
22 from point to point, what the relationship of
23 that is to your district. They're all
24 different ways that in research, in case law,
25 are utilized frequently to analyze compactness.

1 We took a wide look at what measurements
2 were used frequently, found that there were
3 approximately three dozen different
4 measurements that were frequently cited in
5 literature and court cases and so forth. We
6 didn't put three dozen measurements in here,
7 because that would just be unusable. What we
8 did do was we put in the packet the pieces that
9 are most commonly used. A reason for doing so,
10 beyond giving you some measurements to work
11 with and compare plans with, is what it also
12 does is it makes it for someone who is
13 observing the process, who maybe wants to check
14 the process, inspect the data, it makes it
15 relatively easy for them to replicate, come up
16 with their own measurements, perhaps take these
17 data points and plug it into their own formula
18 for whatever they think is important. So,
19 again, making it as easy to replicate as
20 possible for someone who is observing the
21 process.

22 Just getting into these in a little more
23 detail, the base shapes measurement, again,
24 takes a look at literally the core shapes
25 throughout the district, and there's two

1 general ways that this is looked at. This is
2 looked at literally what exactly the boundary
3 lines are, and then in some cases, let's say
4 that those boundary lines happen to be a river
5 or some kind of natural boundary line that is
6 curved or jagged and theoretically makes the
7 boundary a longer boundary and appear to be
8 less compact, we also apply a simplified
9 measurement that essentially if it let's say is
10 a riverway, straightens the points out so
11 that -- that is a boundary line you can't
12 affect, the shape of a river, so it simplifies
13 it out and gives you two ways to look at the
14 information.

15 Going to the next slide, what this
16 measurement does is it gives you the perimeter
17 of the district in miles, and then it gives you
18 the area of the district in -- or, actually, I
19 should say the plan, those are actually plan
20 measurements -- the plan in square miles. And
21 so what that does is it tells you based on the
22 shapes of the district, what the actual mileage
23 is around every single district totaled up.
24 The lower the number, theoretically the more
25 compact the district is. And then in each

1 case, we list a ratio between, in this case,
2 perimeter and area. Oftentimes individuals who
3 study this area of the sciences like to look at
4 the ratios between these numbers. Practically
5 speaking, we are going to more focus on the raw
6 numbers, but there are many individuals who
7 look at the ratios, many experts, and so it is
8 relevant for them. And, again, the smaller the
9 number, the better.

10 So in terms of the circle dispersion
11 measurement, what you are doing is you are
12 taking the district -- and all of this, I
13 should have said at the outset, all of this is
14 based off of one of the public maps that was
15 submitted, a congressional plan. In terms of
16 the circle dispersion, what you are doing is
17 your are taking the district and you are
18 fitting the district into the smallest circle
19 you possibly can, a circle being as
20 geometrically compact a shape as you can
21 possibly have, so --

22 REPRESENTATIVE LEGG: Alex, I may have
23 missed it as you were going through. Could you
24 explain the difference between map and where it
25 says "simple"? What does the simple mean?

1 Maybe it was designed for me, but what does
2 that mean?

3 MR. KELLY: Thank you, Mr. Chair.

4 I will just go back a couple -- back to
5 this slide over here. If you look at where the
6 arrows are pointing on the eastern and western
7 ends of this district, those areas represent
8 natural boundary ways that could not have been
9 drawn in a straight line. So they were perhaps
10 a river, something to that effect that because
11 of the either curved nature of the boundary, or
12 perhaps jagged edges, again, a boundary that
13 you could not account for otherwise in the
14 process of drawing a map, the simplified
15 measurement straightens out that from point to
16 point. It picks the two ends and it gives a
17 simplified measurement, because, otherwise, the
18 perimeter of the district could appear to be
19 much more significant than it is just because
20 of the curves of the riverway. And in the end,
21 it just gives you really two different ways to
22 look at the information.

23 REPRESENTATIVE LEGG: Mr. Kelly, if we can
24 do this -- this is an important portion. I
25 know a lot of members have questions on it, and

1 it is somewhat technical in nature, so if you
2 don't mind, we will take like a brief pause and
3 go to a couple of questions. I see some people
4 kind of jotting down some notes.

5 Representative Taylor, you had a question?

6 REPRESENTATIVE TAYLOR: Yes, thank you,
7 Mr. Chair.

8 Alex, in the compact measurements, I know
9 you said there's several different measures
10 that can be utilized, but -- and I am going to
11 use Florida as an example. If we are using a
12 particular measurement, is it one that is
13 consistently used throughout the map, or are
14 there several different measurements placed
15 into drawing the map?

16 REPRESENTATIVE LEGG: Mr. Kelly.

17 MR. KELLY: Thank you, Mr. Chair.

18 Representative Taylor, the measurements
19 are used throughout the map, so all the
20 measurements apply to the map in whole. Some
21 measurements will do perhaps a better job of
22 assessing things like a rural district versus
23 an urban district, but all the measurements are
24 used throughout the map as a whole, and they
25 are all measurements that are very commonly

1 used in redistricting in other states. They
2 are key parts of the formulas that experts use
3 to assess these things. So they are all very
4 commonly used, they are all used throughout the
5 map.

6 REPRESENTATIVE LEGG: Further questions on
7 this section?

8 Mr. Kelly.

9 MR. KELLY: Thank you, Mr. Chair.

10 Again, talking about the subject of the
11 circle dispersion, similar to what you just
12 looked at with the base shapes, what the
13 measurement does is it measures in terms of
14 miles, in square miles, the perimeter of miles,
15 the area in square miles; again, the lower the
16 number, the better. Now, what this does though
17 is at this point, the base shapes measurement
18 is a measurement that you compare with the
19 circle dispersion measurement, and so that is
20 really where you get a comparative analysis
21 both between physically, literally the mileage
22 that it takes to travel around the edges of a
23 district versus how the populations are
24 centered in a district, how the shape of a
25 district works, how the cores of the district

1 work versus the outliers of the district. And
2 so the percentages that you get on the right
3 side of this are taking the prior perimeter
4 measurements from the base shape -- I'm sorry,
5 actually are taking the perimeter and area from
6 the circle dispersion, dividing it by the base
7 shape. The point of all of this is that the
8 higher the percentage, the better. The idea
9 would be that if you had a district that had
10 100 percent score, basically you have drawn a
11 district that is literally a circle. So the
12 higher the percentage, the better the
13 measurement for your district.

14 And, again, all of these tools are a way
15 to compare one district to another, one plan to
16 another. In this case, these are plan total
17 measurements.

18 And the third type of method of looking at
19 the compactness of the district in terms of the
20 traditional methods of looking at it that are
21 used is a convex hull measurement, which
22 essentially take the outer points of the
23 district, and you are analyzing where the
24 indents and fingers occur and what that does to
25 the compactness of the district, if it has a

1 larger impact in one plan versus another and so
2 forth. And the measurements again end up
3 looking fairly familiar because you are going
4 to combine these to get an analysis. The
5 perimeter of the convex hull and the area of
6 the square -- the square mileage of the convex
7 hull, the smaller the number, the better. And
8 then the ratio is provided, but in this case,
9 again, the convex hull number is divided by the
10 base shapes, and so that gives you a comparison
11 between the two measurements. And, again, as
12 in the others, the higher the percentage, the
13 better. The better the score, the lower the
14 percentage, the less compact according to that
15 measurement, and oftentimes with compactness
16 measurements, you end up finding that there is
17 some give and take between them, because some
18 of them do perhaps do a better job of assessing
19 a plan statewide. Some may perhaps assess
20 districts individually better; likewise, some
21 may perhaps assess a rural district better as
22 compared to an urban district. You could draw
23 a circle in an urban area versus a circle in a
24 rural area, and the rural area, where you need
25 a greater geography for greater population, you

1 are likely to have a lesser perimeter score.
2 So there is some give and take to these, and
3 that is why we gave you different measurements
4 so that you could compare, ask questions and
5 get to understand the true pros and cons of one
6 plan to the next.

7 And on this same page is the width/height
8 of a district. Essentially what the
9 width/height does similar to the idea of a
10 circle is it takes a look at basically --
11 potentially a square or the rectangular shape
12 of a district if a district -- you go to the
13 northern edge, the southern, eastern and
14 western, and you make the tightest either
15 circle -- I mean, not a circle -- a square or
16 rectangle that you can. A square would
17 theoretically, if the width/height were equal,
18 a square would be as compact as that district
19 could be. And so the smaller the number -- the
20 smaller the number, the more compact the
21 district is.

22 Now, the next set of measurements look at
23 essentially where the population is in a
24 district and how they relate to each other,
25 things like travel time and how many miles

1 people are from each other. In this particular
2 case, the way that we constructed this is we
3 looked at every single VTD in a district, and
4 then we compared it to every single other VTD
5 in a district and averaged out the mileage
6 apart. And then we also provide in the packet,
7 we provide those numbers for the minority
8 communities in the district as well. So if you
9 are looking to see whether the minority
10 communities in a district are either nearby and
11 compact, close to each other, or whether they
12 are spread out throughout the district, this
13 will give you that information.

14 In this particular case, looking at this
15 plan, if you look, for instance, at the
16 Hispanic voting age population, the mileage
17 apart is much smaller than the plan as a whole,
18 and that is true both for the current map and
19 this particular proposed map. And I should say
20 in every case, too, we are obviously showing
21 the current map so you can compare. The
22 likelihood of that is that much of the state's
23 Hispanic population is concentrated in a few
24 areas, and so that results in that number being
25 smaller than it is for the statewide total.

1 Now, another way though that is very
2 applicable to Florida to look at this kind of
3 measurement is, well, sometimes you have a
4 river or a lake or some other kind of geography
5 that technically two people are only 10 miles
6 apart in a straight line, but physically, it
7 takes them 50 miles to get to each other. When
8 you think about districts and representing
9 people and possibly representing people on a
10 barrier island or on one side of the Okeechobee
11 or another, this kind of measurement gives you
12 more of the real-world application of how long
13 it would actually take someone, on average,
14 again, to travel to someone else in the
15 district. The numbers are very similar. It is
16 based on mileage, and, again, it is also broken
17 down by minority voting age population to tell
18 you in a given district, and in this case, the
19 statewide map, how long on average it would
20 take someone in that district to travel and go
21 see someone else in that district. The smaller
22 the number, the more densely populated the
23 district is.

24 And the next measurement essentially does
25 the same thing, except for it does it in

1 minutes driven. So one in mileage, one in
2 minutes driven.

3 The next several pages in your packet
4 analyze the same information district by
5 district so that if you are trying to perhaps
6 assess how a district now compares to how a
7 district was, or the district that was similar
8 to it in the prior plan, you can do that, you
9 can compare them. What the next few pages do
10 is they do show you, in terms of the current
11 map, what districts relate to the district that
12 you are considering adopting, and that is what
13 we refer to as district core. So -- and
14 there's two different ways to look at that.

15 In this particular case, this looks at the
16 district that is most similar, the single
17 district that is most similar to the new
18 district you have drawn, and says how similar
19 they may be. And in this particular case,
20 District 1 and the core district, which is also
21 District 1 in this map, it is -- in fact, in
22 this particular map, it was the Panhandle --
23 most western Panhandle congressional
24 district -- they were over 94 percent similar,
25 in all likelihood because in that district, you

1 can't draw west, north or south. So, anyway,
2 it gives you a sense of if a district -- how
3 much it changed, how much the representation
4 for the community might -- in terms of a
5 geographic sense, might change. And then the
6 information is also broken down by minority
7 voting age population, too. So if you want to
8 consider a district that perhaps falls under
9 protection of state or federal law, and you
10 want to consider, well, how much that
11 population is still represented in a minority
12 district, how much is no longer, this would
13 allow you to compare that kind of information.
14 I am just not a big fan of the arrows. And,
15 again, in terms of comparing districts, this
16 type of core measurement looks at all the
17 districts in the current map that are similar
18 to the new one being proposed. And so if you
19 want to try to understand perhaps where a
20 particular minority group came from in terms of
21 the prior map and how the new district has that
22 group aligned in the new district, this will
23 give you that information, showing you what
24 portions of which seats go into the new seat.

25 The one little trick to this in terms of

1 looking at this information is that in terms of
2 actually -- in terms of looking at the column
3 with the arrow now, the black voting age
4 population, what this is telling you is in the
5 new district -- I'm sorry, in the pieces of the
6 old district, what percentage of the district
7 is African-American so you can assess how each
8 piece works if perhaps this was a
9 majority-minority seat and where that came
10 from. But in terms of the next column, it is
11 then telling you in terms of the new district,
12 this African-American population, how it
13 contributes to the whole. So, for example, in
14 terms of the old District 6 and its
15 contribution to the new District 7, the old
16 District 6 contributes to a little more than
17 42 percent of the new District 7's
18 African-American population. So those can get
19 a little tricky, but, again, they just give you
20 different ways to assess the old to the new.

21 And then the last pages of your packet
22 look at issues like split counties, split
23 cities, and they give you actually those
24 numbers and how much those counties and cities
25 are split by. So in terms of if you wanted to

1 report back to your constituency that this city
2 now is split by these two particular districts,
3 the numbers here will indicate to you if the
4 city has 50,000 individuals, let's say that it
5 is split twice, how many of those Florida
6 residents are split into each of the two
7 districts. I will just give you the example
8 that is used here for the City of Ponce de
9 Leon. It is split into two different
10 districts. What you see is you see -- I'm
11 sorry, you see the name of the city, and then
12 the next number that you see is the number of
13 districts the city is split into, in this case,
14 two, and then you see that 11 residents of the
15 598 are in this particular district. So if you
16 are looking at a map that has been proposed,
17 your question may be, well, why is it that 11
18 residents of 598 are split into a different
19 city.

20 And with that, Mr. Chair, that is the
21 presentation.

22 REPRESENTATIVE LEGG: Any questions on the
23 data and tools? With that, I am going to have
24 to take a geometry class after this.

25 Representative Chestnut, please.

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

3 I guess my question -- I know that the
4 last time we met, we talked about the
5 preservation of minority districts as a
6 priority. Is there a limit on how much we must
7 pack the districts with minority voters?
8 Because I noticed on the chart here, some of
9 the charts, it didn't go over like say, for
10 instance, 80 percent, I think it was -- I saw
11 one at 60 percent on one of the charts.

12 REPRESENTATIVE LEGG: Representative
13 Chestnut, would you mind just kind of
14 clarifying your question a little bit more, if
15 you don't mind?

16 REPRESENTATIVE CHESTNUT: Well, I guess it
17 is dealing with minority districts in terms of
18 packing minority districts to protect those
19 minority districts.

20 REPRESENTATIVE LEGG: Are you asking is
21 there like a top ceiling number --

22 REPRESENTATIVE CHESTNUT: Yes, right,
23 absolutely.

24 MR. KELLY: Thank you, Mr. Chair.

25 Representative, the concept of packing is

1 somewhat a separate concept of the notion of
2 preserving a minority district. The concept of
3 packing implies that you have one district and
4 could immediately next door to that district
5 create a similar -- another majority-minority
6 seat if you disburse some of the population
7 from one into the other. So the concept is
8 different than the notion of preserving a
9 minority district. Each district is -- in
10 terms of what number you need to achieve to
11 preserve the minority opportunity, to elect a
12 candidate of choice, it is a fact-specific
13 analysis, district by district. So the concept
14 of packing is really -- it is a different
15 concept, and, again, it implies that you could
16 have created maybe a separate second
17 majority-minority seat. So without specific
18 geography associated with that term, without a
19 specific example, it is hard to say how packing
20 would relate to that concept.

21 REPRESENTATIVE CHESTNUT: So if we did
22 packing, would it -- would it violate the
23 Constitution or any type of the criteria that
24 we have to look at?

25 REPRESENTATIVE LEGG: George, Mr. Meros.

1 MR. MEROS: Certainly packing and --
2 packing is a Section 2 issue under the Federal
3 Voting Rights Act. If you are -- if you are
4 creating or keeping a minority population
5 together which could create two districts
6 rather than one, that is a vote dilution
7 potential under Section 2. Just like if you
8 crack a community, if you split it into two
9 districts that are not majority districts, but
10 could be a cohesive majority in a single
11 district, that would be a potential vote
12 dilution claim. So that is why Alex was saying
13 that the concept is very much different than
14 preserving minority population. Cracking and
15 packing are concepts where, in fact, the
16 minority population is being split up in a way
17 that does not protect their ability to elect
18 a -- the candidate of choice.

19 REPRESENTATIVE LEGG: Okay. Further
20 questions?

21 Representative Taylor.

22 REPRESENTATIVE TAYLOR: Thank you, Mr.
23 Chair.

24 The last time I guess this was done, Alex,
25 we started in the Panhandle and I guess worked

1 our way down. Is geography then more important
2 than the densely populated areas on a starting
3 point? I know it was recommended, I guess last
4 meeting, by Chair Horner that we start in the
5 central Florida area and kind of work our way
6 out, but what -- what -- what would be the
7 more -- most important driving point, geography
8 or the densely populated areas and working your
9 way out?

10 REPRESENTATIVE LEGG: Mr. Kelly, if you
11 want to talk to -- versus a policy sense, more
12 of a logistical sense of -- you know, of making
13 sure that we have populations in the Keys that
14 we don't ostracize because of the way we draw
15 the maps, but -- and the reason why I am
16 interjecting here, because some of that is kind
17 of our consideration that we have to decide as
18 a policy piece, but there is a logistical point
19 where if you don't draw the maps correctly, you
20 have a group of people that basically are left
21 without a district. And if you want to speak
22 to kind of the practicality of how you start
23 drawing the maps, that would be great.

24 MR. KELLY: Thank you, Mr. Chair.

25 Representative, if you think about the

1 requirements of Amendments 5 and 6, and think
2 about the second tier of those requirements,
3 that districts -- assuming that they don't
4 conflict with Federal law nor the standards in
5 the first tier, districts shall be compact,
6 they shall be nearly equal as practicable, and
7 where feasible, use existing political and
8 geographical boundary lines. The third part of
9 the amendments, of Amendments 5 and 6,
10 Amendment 6 as it pertains to the map that you
11 are working on, requires that none of those
12 standards within a tier be prioritized over one
13 another. So -- and coming to your question
14 now, in terms of how you might approach
15 geography and population density in one region
16 to another, there are trade-offs, and there are
17 trade-offs that are legally appropriate. So,
18 for example, if in the Panhandle of the state,
19 in terms of drawing districts that perhaps
20 adhered to county lines, that was the
21 consideration that was a more rational, easier
22 to achieve consideration than perhaps tying
23 together cities in whole, that may be your
24 predominant consideration in the Panhandle
25 because of the geography. So the geography can

1 dictate some of the terms. Whereas, if you
2 look at southeast Florida as we are covering
3 today, some of your counties are the size of
4 two and three districts. So the county lines
5 may not be such a consideration that you could
6 focus on, but you may focus on city lines
7 perhaps. So if you know that you are going to
8 go from northern Palm Beach County into Martin
9 County, you may have a goal of keeping Jupiter
10 whole. Likewise, if you think about what
11 happens in Monroe County in the Everglades, you
12 may have issues where you have to cross the
13 state for legal considerations like the Voting
14 Rights Act, and so your focus may be to tie
15 that crossing of the state to a particular
16 roadway, and just in terms of thinking about
17 how that member of Congress is able to
18 adequately represent communities in Collier and
19 Miami-Dade Counties, you may pick a roadway and
20 say that is going to be the artery for the
21 district.

22 So geography definitely does cause you to
23 look at the different considerations in the
24 second tier of the amendments. In an urban
25 community, it is far simpler to draw a nice,

1 compact district. However, if you think about
2 the county from which you come, you have a
3 number of cities in that county that -- you
4 have some that are into the rural areas, and
5 some that are along the beaches in Volusia
6 County. In terms of how you might draw
7 districts in Volusia County, you may actually
8 consider clustering the communities that are in
9 the rural, the cities that are in the rural.
10 So you may do a combination of keeping cities
11 whole, but in one half of the county, and then
12 in the other half of the county, keeping those
13 cities whole. So -- and you have in that
14 county a significant divide down the middle of
15 the county between the coastal and rural
16 communities. So geography definitely can cause
17 you to look at the map differently in different
18 places.

19 Pinellas County, if you choose to say you
20 are not going to cross the bridge into Manatee,
21 that forces you, no matter what you want to do,
22 to start drawing in the southernmost point of
23 Pinellas County and going northward, regardless
24 of what your predominant consideration is,
25 because you chose that you didn't want to cross

1 over into Manatee County.

2 REPRESENTATIVE LEGG: Follow-up?

3 REPRESENTATIVE TAYLOR: Yes, thank you,
4 Mr. Chair. And thank you, Alex, for that
5 explanation and that answer.

6 The only reason I am asking that, I know
7 it is a policy situation where -- but with the
8 additional of two seats, I mean, we are looking
9 at the maps and we are going to add two
10 additional districts, I just wanted to get a
11 more of an understanding of what is more
12 advantageous for us to look at, where the
13 population growth was, or the geographical
14 area. So --

15 REPRESENTATIVE LEGG: Great point. Chair
16 Holder.

17 REPRESENTATIVE HOLDER: Thank you, Mr.
18 Chairman.

19 Mr. Kelly, going back to the geographical
20 compactness measurements, I really don't want
21 to get too much in the weeds, and if it is too
22 complex of an explanation, I can certainly come
23 by your office at any time, but there are a lot
24 of different measurements here in perimeter
25 area, height and width. What do those numbers

1 represent, what units do they represent? It is
2 not feet or miles. Is it density or --

3 MR. KELLY: Thank you, Mr. Chair. It is
4 miles.

5 REPRESENTATIVE HOLDER: Oh, it is miles?

6 MR. KELLY: It is --

7 REPRESENTATIVE HOLDER: Great.

8 MR. KELLY: It is miles for the entire
9 plan, the entire map, not for one singular
10 district.

11 REPRESENTATIVE HOLDER: Got you. Thank
12 you.

13 REPRESENTATIVE LEGG: Mr. Kelly, anytime I
14 can talk about convex hulls, it's been a good
15 day, so thank you, thank you for that
16 privilege.

17 Mr. Faircloth -- Mrs. Faircloth.
18 Fairbrother, I apologize.

19 MS. CROFOOT: Thank you, Chair Legg. I am
20 Katie Crofoot with the Redistricting Committee.
21 This morning I will be presenting a very brief
22 overview of the House Redistricting Committee's
23 new bills and amendments web page. The new
24 page will be available through the
25 Redistricting Committee's myfloridahouse.gov

1 page.

2 REPRESENTATIVE LEGG: Which tab is that
3 real quick?

4 MS. CROFOOT: There is no tab. This is
5 just -- I will just show you guys all up on the
6 screen.

7 Currently we are looking at
8 myfloridahouse.gov's home page. I am going to
9 navigate to the Redistricting Committee's page.
10 So as you can see at the top of the screen,
11 that is the new link for the amendments page.
12 In the near future, this link is going to be
13 prominently displayed on myfloridahouse.gov's
14 main page, as well as floridaredistricting.org.

15 Okay. So the purpose of this new page is
16 to create a one-stop shop for all committee
17 actions involving redistricting bills and
18 amendments. The need for this additional
19 resource is similar to why the House
20 Appropriations Committee also has a web page
21 separate from the main Bill page. It is to
22 aggregate the information that is relevant to
23 particular unique issues. It is information
24 that tends to go beyond the traditional Bill
25 page provides.

1 Redistricting bills, the actual text of
2 the Bill can be several hundred pages of just
3 technical language. It is -- includes a lot of
4 geographic descriptions of districts, and these
5 are not nearly as useful as maps and
6 statistics. Each redistricting Bill will still
7 have its traditional Bill page where you can
8 find the formal Bill text, legislative history,
9 Bill references and so forth. However, here on
10 the redistricting amendments and bills page,
11 this is where you can find the statistics and
12 maps that are going to be more relevant to your
13 review, as well as your constituents' review of
14 the proposed maps.

15 So let's go through the various parts of
16 this page. Located at the top right hand of
17 the page are the status reports. Right now
18 they don't have any content, but I will go
19 ahead and -- they don't have any content
20 because there is no official legislative action
21 taken by the committees yet. Once the
22 committees have begun to take action and worked
23 through proposed bills, these reports will be
24 populated. Those reports can serve as cheat
25 sheets for your constituents who may wish to

1 follow the process, especially if there's a lot
2 of proposed bills and amendments that are being
3 considered.

4 Next at the bottom left of the screen,
5 this is where eventually the bills can be
6 found. Right now we have loaded current maps
7 just as examples of how the bills will
8 eventually appear. These bills will be
9 displayed in order of relevance such that bills
10 that are still moving through the process will
11 be displayed closer to the top of the page.

12 So let's look at one of the examples. If
13 you click on the first box, you will see a menu
14 drop down that includes links to relevant web
15 pages, maps and files. The first link will
16 take you to the Bill page that I mentioned
17 earlier. The links following will take you to
18 different map-viewing options, including a link
19 to the Committee's blog, where any visitors can
20 comment on any of the proposed maps. This
21 information is live and public right now, but,
22 again, the specific links here are now just
23 examples of what the site will eventually look
24 like when the bills and amendments are being
25 considered.

1 Next if you turn your attention to the
2 resources section, on the right side of the
3 screen, this is where you can find a lot of
4 helpful links. The first link will take you to
5 floridareistricting.org, the Redistricting
6 Committee's web page. Next, My District
7 Builder, which you guys are all familiar with.
8 The next link will take you to a document that
9 can direct you as to how to save a map's file
10 and view a map on My District Builder.

11 You may wish to choose this resource if
12 perhaps you want to create an amendment to an
13 already filed Bill. If you want to start with
14 a filed Bill and make changes from there,
15 this -- these are the directions to help you do
16 that.

17 The last two links here relate to
18 redistricting rules and procedures, including
19 the September 27th, 2011, memo from the House
20 Rules Committee and the procedures amendment in
21 committee that were adopted last April. And in
22 regard to what is unique about this page, much
23 like the information that the House
24 Appropriations Committee will post on
25 myfloridahouse.gov, that it is equally for your

1 use as well as the public's use.

2 Traditionally, you and your staff probably
3 use LEGUS for much of your legislative review,
4 and myfloridahouse.gov is primarily a resource
5 for the public, but this page is unique because
6 it will be equally used by you and the public.

7 Now, looking through -- below the
8 resources section, this is where the amendments
9 can be found. It consists of two sections, the
10 pending amendments and then the amendments
11 already considered. This section will be
12 displayed in the same manner as the Bill
13 section. Each amendment will have a drop-down
14 menu with links. This section will also start
15 to be populated once the Committee has taken
16 action -- some actions.

17 Early in this meeting, Alex Kelly
18 discussed the numbering system for proposed
19 maps. It is important to note that when you
20 visit this page, you will see the official Bill
21 numbers of the redistricting legislation, which
22 will always be in the 6000 series. You will
23 also see in parentheses the redistricting plan
24 file number that will be assigned the plans
25 that are received by the Committee, so that is

1 what Alex went over earlier, that number. This
2 is important, because if an amendment is
3 adopted, that plan number will appear in both
4 the amendments already considered column as
5 well as the bills column, so you may be seeing
6 the same number, and that is why.

7 Overall, this page will serve to provide a
8 history of what complete maps were offered and
9 considered in the official legislative process.
10 Furthermore, if and when amendments are filed
11 to redistricting bills, you will receive an
12 e-mail from the Committee, and that will
13 include attachments and links to this page. So
14 this page will serve as a means for you to view
15 and study redistricting amendments that have
16 been filed.

17 That concludes my presentation, Mr. Chair.

18 REPRESENTATIVE LEGG: Any questions on the
19 website? Representative Fullwood.

20 REPRESENTATIVE FULLWOOD: Thank you, Mr.
21 Chairman.

22 Just a simple question. Will this
23 information also be in LEGUS or --

24 MS. CROFOOT: It is all -- everything is
25 still traditionally how it would be with any

1 other Bill, so the information will be there.
2 This is just additional information that it
3 wouldn't normally show up.

4 REPRESENTATIVE FULLWOOD: Okay. Thanks.

5 REPRESENTATIVE LEGG: Further questions?

6 Members, with that, thank you very much
7 for your attendance on this early morning, and
8 Representative -- Representative Taylor.

9 REPRESENTATIVE TAYLOR: Thank you, thank
10 your, thank you, and I do apologize. I thought
11 you were asking if there were any further
12 questions for her, but I just wanted to get
13 some procedural questions answered and -- when
14 the actual map itself is put in Bill format,
15 generally in the Bill analysis, will there be
16 intent in that analysis as well? Or do we
17 discuss intent when the Bill is actually being
18 introduced?

19 REPRESENTATIVE LEGG: Representative
20 Taylor, the Bill analysis is actually more of a
21 technical quantitative informational piece, so
22 it looks over the perimeter, the specs that
23 we've been kind of going over, those issues.
24 The legislative intent will not be there. That
25 will be something for us as a committee going

1 on record when we are debating question and
2 answers to decipher, but it will not be in the
3 Bill analysis. That is a technical piece.

4 REPRESENTATIVE TAYLOR: Okay. Thank you.

5 REPRESENTATIVE LEGG: Any other questions,
6 further questions?

7 With that, Representative Horner moves --
8 without objection, Representative Horner moves
9 we rise.

10 (Whereupon, the proceedings were
11 concluded.)

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

STATE OF FLORIDA)
COUNTY OF LEON)

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

That the foregoing pages 2 through 74 represent a true, correct, and complete transcript of the tape-recording;

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

Dated this 16th day of February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014