

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](http://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