**Ohio Redistricting Commission - 3-2-2022**

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**Co-chair Speaker Bob Cupp** [00:00:00] Restricting Commission will come back to order. I would ask that the staff please call the roll at this time.

**Clerk** [00:00:07] Co-Chair Speaker Cupp.

**Co-chair Speaker Bob Cupp** [00:00:08] Present.

**Clerk** [00:00:09] Co-chair Senator Sykes.

**Co-chair Sen. Vernon Sykes** [00:00:10] Present.

**Clerk** [00:00:11] Governor DeWine.

**Gov. Mike DeWine** [00:00:11] Here.

**Clerk** [00:00:12] Auditor Faber

**Auditor of State Keith Faber** [00:00:14] yes.

**Clerk** [00:00:14] President Huffman.

**Senate President Matt Huffman** [00:00:14] Here.

**Clerk** [00:00:15] Secretary LaRose.

**Secretary of State Frank LaRose** [00:00:15] Here.

**Clerk** [00:00:16] Leader Russo.

**House Minority Leader Allison Russo** [00:00:17] Here.

**Clerk** [00:00:19] You have a quorum.

**Co-chair Speaker Bob Cupp** [00:00:21] All members are present. Is there business to come before the meeting, this meeting of the Ohio Redistricting Commission Yes. Chair recognizes co-chair Sykes.

**Co-chair Sen. Vernon Sykes** [00:00:40] Thank you, Mr. Co-Chair. At this time I'd like to move to amend. The amendment aims to replace the map that's before us and to accept our map that we submitted here before into the commission. It's Senate Bill 237. We have three different versions of it, but this would be the most recent version. It is a eight-seven map and it does not unduly favor a political party and we would ask that the commission consider this map.

**Co-chair Speaker Bob Cupp** [00:01:29] There's a motion to adopt the map presented. What is the designation on that map, do we know? Or the date that it was uploaded on the website,

**Co-chair Sen. Vernon Sykes** [00:01:43] February the 8th.

**Co-chair Speaker Bob Cupp** [00:01:46] February, the 8th map. I'm not sure what name it was uploaded under. But is there a second to the motion?

**House Minority Leader Allison Russo** [00:01:57] Second.

**Co-chair Speaker Bob Cupp** [00:01:57] It's been moved and seconded. Is there discussion?

**Senate President Matt Huffman** [00:02:00] Mr. Chairman?

**Co-chair Speaker Bob Cupp** [00:02:02] Senator Huffman.

**Senate President Matt Huffman** [00:02:03] Yeah, just just to clarify the if - there was a motion to amend and then a motion to adopt, is this motion to amend the fact there's no amendment,

**Co-chair Sen. Vernon Sykes** [00:02:16] The amendment - we are looking at the General Assembly Motion, map, that was presented and was denied invalidated by the court. And so we're offering it as an amendment to that.

**Co-chair Speaker Bob Cupp** [00:02:34] Are you offering an amendment to the General Assembly map or to the congressional map?

**Co-chair Sen. Vernon Sykes** [00:02:40] to the congressional map that was that was approved by, adopted initially by the General Assembly, but was in fact invalidated by the court.

**Co-chair Speaker Bob Cupp** [00:02:53] My understanding is the motion is to amend the map, it was previously approved by the commission and returned to to to the commission by the - The map that was adopted by the General Assembly for Congressional districts and that was invalidated by the Ohio Supreme Court and is, and returned to the redistricting process.

**Co-chair Sen. Vernon Sykes** [00:03:29] Yes.

**Co-chair Speaker Bob Cupp** [00:03:29] Right. And you have amendments to that map.

**Co-chair Sen. Vernon Sykes** [00:03:36] Yes, we're offering the map that we submitted to the commission on February the 8th to amend that map.

**Co-chair Speaker Bob Cupp** [00:03:48] Are you? I'm sorry. Are you offering a whole map?

**Co-chair Sen. Vernon Sykes** [00:03:52] Yes, a whole map. It's like a supplement as an amendment.

**Co-chair Speaker Bob Cupp** [00:03:58] All right. Are we able to identify what that is?

**Co-chair Sen. Vernon Sykes** [00:04:12] We have -- it's on the commission's web site of February the 8th.

**Co-chair Speaker Bob Cupp** [00:04:20] February eight, is that the only one? Or is it under a name as well?

**Co-chair Sen. Vernon Sykes** [00:04:28] It was the Dems congressional map

**Co-chair Speaker Bob Cupp** [00:04:31] Democrat Congressional Map, Yuko - would this be the title? Yuko Sykes Substitute Senate Bill 237 February 8th revision is a map that is offered. You want to describe the map or your amendments?

**Co-chair Sen. Vernon Sykes** [00:04:51] It is a 8-7 map that complies with the Constitution. It was presented prior and you've gone over it in detail in the prior meeting, and we'd just like it to be considered now.

**Co-chair Speaker Bob Cupp** [00:05:08] All right. It's been moved and seconded that the Yuko Sykes Senate Bill 237 February 8 revised map that was uploaded to be adopted by the commission. Discussion? There's no discussion. I'll ask the clerk to call the roll. Is to correct the caller on. All right. The commission will be at ease for a moment while we make some copies.

**Co-chair Speaker Bob Cupp** [00:07:42] Waiting for the copies of the maps to come. We had a request from Ryan Brune. I'm not sure I'm pronouncing your name right, but you testified yesterday and you have an updated map. Do you want to take a few moments to tell us what that is? Would you come up to the microphone and state your name for the record, please?

**Ryan Brune** [00:08:06] Thank you. My name's Ryan Burnett presented yesterday with a map. I'm here to present a different map, calling it Compromise Map V2. This map that I'm presenting is identical to the one that the Republicans proposed yesterday, with two districts being changed. The 4th District and the 15th District, I made some simple county swaps, which citizens can see on the redistricting website. The commissioners, you have these in front of you. All the changes I've made, I have reduced the total number of county splits. I've combined municipalities that were previously split. Municipalities that's across county lines are allowed to be split given the guidelines. But what I was able to do is able to reconnect Dublin with its Union and Franklin portions, and I was able to reconnect Plain City, which is in Madison in Union County. I talk a little bit about the compactness in my brief, but basically what I propose is the exact same as the Republican map. Two districts changed. It's more compact and pretty much any metric you use, it doesn't have a split district, connect to a split district, connect to a split district, and it has the added benefit of being a little bit more fair. Instead of having five composite Democratic districts, it now has six and all that it, one change. This maps pretty much the exact same thing you presented yesterday, just a little bit better in every way.

**Co-chair Speaker Bob Cupp** [00:09:39] Thank you. Any questions for the witness? Thank you for your continued work on this. It's quite impressive that you have this kind of interest in and continue to work on it. Thank you.

**Ryan Brune** [00:09:52] Thank you.

**Co-chair Speaker Bob Cupp** [00:09:56] The commission will be back in ease while we're waiting on the map copies.

**Co-chair Speaker Bob Cupp** [00:12:44] Distributed, they're entitled Yuco Sykes SB 237 February 8th revision that is before the commission. Is there any discussion on the motion. Chair recognizes Sen. Huffman.

**Senate President Matt Huffman** [00:13:01] Yeah, thank you. Thank you, Mr. Chairman. So there is a map that was presented, although not yet moved, which I'll be doing later in this meeting. And there was a series of meetings as there have been. But I met with Senator Sykes and Leader Russo. I, as I understand it, the speaker did. I believe the auditor did. There may may have been a meeting also with with secretary and variety of folks. And then last night, there was a series of amendments proposed to that map by the, I believe, by Senator Sykes and Leader Russo. So there is that version of that map, which is also on the website. This is a completely different setup. And as of today, I guess maybe if we're trying to negotiate, this is a step backwards in what at least we were talking about and is a completely different consideration. So it's unclear to me why this is even being presented at this time since it's. Not related at all to what we were, we were discussing, at least in the meeting, that I was in last night, so I think it's a step backwards in terms of of, you know, trying to put in a capsule what the differences are between the parties. So I would oppose the motion.

**Co-chair Speaker Bob Cupp** [00:14:27] Further discussion. The the motion is to adopt the plan that has been presented and the staff will call the roll, please.

**Clerk** [00:14:40] Co-Chair Speaker Cupp

**Co-chair Speaker Bob Cupp** [00:14:41] No.

**Clerk** [00:14:42] Co-Chair Senator Sykes

**Co-chair Sen. Vernon Sykes** [00:14:43] Yes.

**Clerk** [00:14:44] Governor DeWine.

**Gov. Mike DeWine** [00:14:46] No.

**Clerk** [00:14:46] Auditor Faber

**Auditor of State Keith Faber** [00:14:46] No.

**Clerk** [00:14:48] President Huffman.

**Senate President Matt Huffman** [00:14:48] No.

**Clerk** [00:14:48] Secretary LaRose

**Secretary of State Frank LaRose** [00:14:49] No.

**Clerk** [00:14:51] Leader Russo

**House Minority Leader Allison Russo** [00:14:52] Yes

**Clerk** [00:14:53] Thank you. 5-2 Mr. Co-chair.

**Co-chair Speaker Bob Cupp** [00:14:57] Vote is five to two. No, the vote is two to five. The motion has not carried. Is there further business come for the commission, Senator Huffman?

**Senate President Matt Huffman** [00:15:08] Thank you. At this time, Mr. Chairman, I move the commission, adopt the updated Congressional District Plan, which is uploaded the commission's website this morning that is called March 2nd, 2022. Under the name of Franks to Gary and

**Co-chair Speaker Bob Cupp** [00:15:26] Sykes, Senator Huffman is at the map. That is, if we have the PorterWright distributed, that's correct. All right, so everyone have that map. All right, you may proceed.

**Senate President Matt Huffman** [00:15:36] Do I need a second?

**Co-chair Speaker Bob Cupp** [00:15:37] Is there a second to the motion? I'll second the motion.

**Senate President Matt Huffman** [00:15:41] OK, thank you. So, Mr. Chairman, members of the commission, this map is identical to the map that was submitted yesterday and with two slight changes. One is our changes then in Franklin County, which really completes a series of changes that were made in regarding districts three and 15 are my office and perhaps other offices received inquiry from Congresswoman Beatty's office. I think one of the initial maps that was or renderings here in the last week or so had Congresswoman Beatty's district office outside of District three. And it might be a federal requirement, but but I believe that it's required that congressional district offices be inside the congressional district. So they asked us to make that change. And initially, I believe also Congresswoman Betty's residence was outside of District three. And so there were some changes made regarding both of those also resulting in Congressman Carey outside of District 15. So the net result of all these changes, including the one we're including today, is that Congressman Beatty's district office in District three, her residence is. And Congressman Carey is in his District 15. When I say his and hers, of course that I'm referring to the fact that they're both incumbents, so that solves that problem. So that's one change. The second change is in Hamilton County and was pointed out to us that we could eliminate some subdivision splits in District one. And so if you if you compare, if you have both of the maps in front of you yesterday, today not only did we repair those subdivisions splits, but certainly the the how the district is divided is is much cleaner. So those are the two changes, of course, in moving the map as a whole. And I would ask the commission to adopt the map pursuant to my amendment.

**Co-chair Speaker Bob Cupp** [00:18:05] Thank you. It's been moved in second and that do we have a just description for this map and name on this? Yeah.

**Senate President Matt Huffman** [00:18:15] Excuse me. This this is called March, the March 2nd 2022 map, and it's submitted under the name of Frank Strigari.

**Co-chair Speaker Bob Cupp** [00:18:24] Thank you. It's been moved in. Second, is there discussion?

**House Minority Leader Allison Russo** [00:18:27] Mr. Co-Chair,

**Co-chair Speaker Bob Cupp** [00:18:29] The chair recognizes Rep. Russo.

**House Minority Leader Allison Russo** [00:18:30] So thank you, Mr. Co-Chair. Just to clarify the difference specifically and districts 3 and 15 from the map that we saw yesterday that was uploaded to the website, to the map, we saw today that the primary difference here is that this revision puts Congressman Carey back into the 15th because I believe the issues with Congresswoman Beatty and her office were resolved in the map that we saw yesterday. So the primary change here is to put Congressman Carey back in his 15th district. Is that correct? His residence.

**Co-chair Speaker Bob Cupp** [00:19:06] Sen. Huffman?

**Senate President Matt Huffman** [00:19:07] Yeah. Mr. Chairman, that is accurate in doing those other changes. I think we had that. That's that's what resulted in that. So we're trying to in remedying some things, we caused other problems. And so but the only change today from yesterday does as Leader Russo described.

**Co-chair Speaker Bob Cupp** [00:19:26] Further discussion?

**House Minority Leader Allison Russo** [00:19:28] Mr Mr. Co-Chair, would it be appropriate? I'd like to suggest some amendments to this.

**Co-chair Speaker Bob Cupp** [00:19:34] Yes.

**House Minority Leader Allison Russo** [00:19:34] Thank you.

**Co-chair Speaker Bob Cupp** [00:19:34] That would be an order.

**House Minority Leader Allison Russo** [00:19:36] Thank you. I have a number of amendments here because we are here because the General Assembly drew a map that the state court held violated the state constitution. Specifically the court was clear that the Congressional District Plan that the General Assembly passed in November is invalid in its entirety because it unduly favors the Republican Party and disfavors the Democratic Party in violation of Article 19, Section one C three A. The court gave the example of Franklin County, where Democratic leaning voters were packed into only one district to confer partisan advantage to the party drawing the map. And the court also held that the plan unduly splits Hamilton, Cuyahoga and Summit counties in violation of section one C three B. The court has ordered the General Assembly or the Commission, if needed, to adopt a new Congressional District plan that complies in full with Article 19 of the Ohio Constitution and the directives of the court. So the task now in the commission is in the commission's hands because the state constitution calls for the commission to act as backup to the General Assembly when the General Assembly fails to assemble the bipartisan vote required by the voters in the state constitution reform to pass a replacement map. So my amendment, as was discussed with I believe nearly every member of this commission over the last 12 hours, makes four primary changes to the map that we see before. It was the map that was presented yesterday, but these changes would also apply to the maps that we see before us today. We have actually uploaded these democratic amendments to the Strigari March 1st, 2022 map on the commission website for the public to see and commissioners to see. Of course, we can slightly adapt that uploaded map to accommodate the two small changes that have been described by Senate President Huffman this morning with the map that he has offered before us. But here are the four amendments again that have been discussed in detail with multiple members of this commission. And to note these changes abided by the principle of taking the map that has been presented to us and making the least changes necessary to get this map to a map that we feel again upholds the Constitution by not unduly favoring the Republicans and disfavoring the Democrats. So the first change is to amend the districts in southwest Ohio, specifically districts one and eight. This amendment or modification, or this change sorry, swaps territory from one district to the other with the result that District one would still contain Cincinnati, but it would be wholly within Hamilton County. District eight would now contain Warren County instead of Warren County being disconnected from Cincinnati, and the partisan Index would change on each district accordingly. District one would move slightly above the toss up range, and the heavily Republican leaning District eight would be slightly more Republican. And you can see those changes in the map out that we have provided, as well as the table. Amendment, the second change is to amend districts in northwest Ohio. This amendment specifically would change the boundary between districts five at nine. And this modification swaps territory from one district to the other, with the result that district nine would be more compact and its partisan index would move slightly above the tossup range. And we also believe that the communities linked in this district would be more cohesive. The partisan index would change and each district accordingly. Again, you can see that in the print out that was provided. Now I will note specifically about this change. We had a nice long discussion with Auditor Faber last evening. He had some other changes in this part of the state that we were very willing to consider and discuss further if we are given time to do that. The Third Amendment is, it would change the districts in central Ohio specifically centered on District 15. This amendment would change the boundaries between 15, four and three. This modification swaps territory from one district to another, with the result that District 15 and four would be more compact and District 15 would have a partisan index that would be slightly above the tossup range. We also believe that the communities linked in this district are more cohesive, for example, communities and the Delaware, Franklin, Union and Madison, where those counties meet and that portion of the district. I will also note again, we discuss multiple potential options within this change. Again, if commissioners are willing to discuss this further, we certainly have shown a willingness to be open to further discussions with that change. And then the final change that we have proposed amends, sorry, impacts districts in northeast Ohio touching Cuyahoga County. This amendment specifically would change the boundaries between District seven and 11. This modification swaps territory from one district to the other, with the result that District seven would have a partisan index that would place it in the Dem leaning tossup range. And the purpose of this and the other change is to have a total map that reflects the preferences of the Ohio, the voters of Ohio and does not unduly favor the Republican Party in excess of their support at the ballot box. So, Mr. Speaker, again, I would like to thank the members of the commission who had these discussions with us. We have gone into these discussions about these amendments to the General Assembly passed plan using your math that you have put forward today and yesterday as the basis for coming up with some sort of compromise that we believe again results in an overall map that is in line not only with the court's decision, but with the Constitution and does not unduly favor the Republican Party and unduly disfavor the Democratic Party. Thank you.

**Co-chair Speaker Bob Cupp** [00:26:40] Thank you, leader Russo. Let me ask, are these being offered as a single motion or did you want to do these series item?

**House Minority Leader Allison Russo** [00:26:55] At this point? Mr. Speaker, these are being offered as a single motion. Certainly, again, we have not heard directly back from commissioners about what individual changes they might be willing to entertain. But if we can continue discussions, we certainly can offer them a separate. But at this point, they are offered in whole.

**Co-chair Speaker Bob Cupp** [00:27:17] All right. And are these? The details of these, are they they uploaded or available? So if they were adopted, are we going to know what they are? Is my point, I guess.

**House Minority Leader Allison Russo** [00:27:33] Thank you, Mr Speaker. Yes, the details of these changes, not only have they been uploaded that they were provided to all of the commissioners and their staff last evening, I believe at approximately 9:30-9:45 to your staff, we discussed them in detail, and again, we certainly can harmonize based on the two minor modifications that have been presented this morning. Certainly can harmonize those, but they have been available not only to your staff and and commissioners, but also to the public.

**Co-chair Speaker Bob Cupp** [00:28:09] Yes, I do. We do. We have a name by which they were uploaded. So we can.

[00:28:13] Yes, I believe they are named as the Democratic Amendments to Remedy Invalidated General Assembly plan.

**Co-chair Speaker Bob Cupp** [00:28:33] And the date of the upload is March 2nd?

**House Minority Leader Allison Russo** [00:28:38] March 2nd. Yes.

**Co-chair Speaker Bob Cupp** [00:28:43] But are there, are you? Did you make a motion to move?

**House Minority Leader Allison Russo** [00:28:51] So it makes you move. All right. Thanks very much. Thank you. She's easy to get lost in the discussion here. Making a motion to adopt these amendments to the general, invalidated General Assembly plan, but adopt these changes to the plan that Mr. Huffman has put forward.

**Co-chair Speaker Bob Cupp** [00:29:13] All right. It's been moved to the second. It's moved into second discussion. Chair recognizes Senator Huffman.

**Senate President Matt Huffman** [00:29:20] Thank you, Mr. Chairman. I oppose the motion and I guess a couple of comments. One. And I appreciate Leader Russo's description as these are changes to essentially the map that I moved today, but was presented yesterday with slight changes. This, of course, is a wholly different map than what leader or Senator Sykes presented just a few minutes ago. So this is these are two different maps, I guess. I want everyone to commission members and public who are listening to understand that. So these are these are two, I think it's fair to say completely different plans presented here this morning. I I think it's important again, and I went on a little bit of a history lesson yesterday to understand Article 19 and its effects and how it how it was that or how it came to be and how why this unduly language does not in fact, imply to the commission. First, you could say simply because the Constitution doesn't say anything about that as it relates to the commission. But why is that? Why, why? Why is that the way the design of this? And keep in mind that we get the census as we all know it's at the end of every 10 years. Typically, we get the census data on April 1st, and it takes about three months to put it in the political. And then there's an opportunity over a couple of months, perhaps to come up with an agreement. And you know, we we've we've talked a lot about how there were problems with that this year. But in the first stage of this, when there's there's a substantial amount of minority party buy-in that has to happen. So this is in September of any year and there is no unduly requirement in there. If in fact the parties can agree, it may be that some feel maybe a court or others feel that it unduly favors or disfavors a party. But there's no requirement regarding that in that September timeframe. Now there is a requirement for substantial minority party buy-in, but the language doesn't appear anywhere in that stage. If that doesn't happen in October, the redistricting commission can adopt a map, but they can only adopt a 10 year map and it must have, and to do that, you must have minority party buy-in. However, there's no unduly language in there, either. And some might recall when we passed this map some time ago, I asked some advocates, Well, what if? What if there was an agreement among minority and majority party members, but it wasn't a map that advocates wanted. And the response was no sweetheart deals. I don't know if anybody remembers that response. And what that anticipates is that there can be agreement on these maps for a whole variety of reasons. But this means in the first stage in September, that unduly doesn't apply in the second stage unduly doesn't apply because the language isn't in there. OK. So in stage three November goes back to the General Assembly, and if the General Assembly passes a congressional map pursuant to C 1 of the Constitution, and again, this is section one C one if the General Assembly does it and has this enhanced minority vote. The unduly doesn't apply, there's no requirement that the General Assembly do that under Section C, two of the Constitution, but again, you have an enhanced minority requirement. Minority party requirement. And it's not as big as it is in September, it actually lowers. But that again unduly doesn't apply there, either. Finally, if the General Assembly passes a map in November, which we did without the requisite minority in the unduly part does apply in the court, in their opinion, said, Well, we think it unduly favors one party over another and ruled the map invalid. Well, what happens? And before we get to stage four, I would point out that in the mid decennial redistricting under Section F one, we have that that same unduly language appears again. So there are parts of the Constitution that have the unduly language and parts that do not. So you can take a look at F1 one. We all worry about that in four years or those of you who are still standing can worry about it in four years. So but what happens then if the court says, for whatever reason, we don't like the map and it could be for a whole variety of reasons? Well, in the end, section four, if the General Assembly passes a map, pursue it or or this is section three, excuse me, in silo four, the General Assembly can pass a map, but the unduly language doesn't appear there either. Well, if the General Assembly passes a map, they have all the other requirements, but there's no unduly requirement, but the General Assembly doesn't do that. And likely we could have passed some map, but we had restrictions on time and needed and later Russo, I think, made a good point, said, Well, we didn't take a vote. Well, we didn't. But you know what, is a bit of a fool's errand at that point. So now we go to the redistricting commission in silo five, which is where we are right now. Silo five doesn't have any language in it about unduly. And the question is, well, why not? Well, remember, folks, this is a plan, this constitutional plan is designed to create a series of incentives on both sides to make an agreement. And the big incentive for the majority to make an agreement is if you don't do get enough support from the minority party, your map only lasts for four years. And that is a not good for the majority because everybody wants to be able to draw their map for 10 years and keep it where it is. Well, they can't do that. So as we're sitting here in Silo five, there's no unduly requirement and we can we can talk about that and go back and forth and make whatever arguments we want to do about that. So I guess I want to point that out to commission members. And. Again, going back to where we are typically you're going to be at the end of November. With no map, the General Assembly may be able to, if it's challenged in the courts, sends it back, maybe in the month of December, perhaps we didn't in this case didn't get a court decision until January. But and if it comes back, the General Assembly needs to come back, pass a map or not, or then come to the redistricting commission, all in a very short period of time. And if in fact, what is required is this substantial by end that the minority party is describing, it's going to make it very, very difficult to get this map. And obviously, we're we're on a very short period of time what what the courts want. And I think what we all want is to be able to have an election. And I would note that one of the there's a couple of things that I argued when I think provisions that I wanted to put into this back in 2018. One is rather than have a General Assembly bill that could be referended, we ought to do it by a resolution. That was shot down. So we're stuck with a longer process with the bill. And I also pointed out that if we stretch this out to the end of November, then a court hearing and then a General Assembly action and then commission action, it's going to be a problem when we get to elections. And as I noted to some of the media yesterday, you think the timing on this is a problem now? Wait until 2032, when the presidential primary is in March. And if we start going down this path that all of these additional requirements in other parts of the Constitution apply to this stage, well, we're never going to make a primary the first week in March and in Secretary LaRose probably won't be secretary then, but maybe thank God so that I just want to, I guess let me make sure that commission members are aware of that. Thanks very much, Mr. Chairman. And I again oppose the motion.

**House Minority Leader Allison Russo** [00:38:56] Mr. Chairman.

**Co-chair Speaker Bob Cupp** [00:38:56] Chair recognizes Rep. Russo.

**House Minority Leader Allison Russo** [00:39:01] Thank you, Mr. Chair. Those are certainly very interesting conclusions about the reading of not only the court's decision, but also the Constitution. So essentially, what we are hearing is that Commissioner Huffman is arguing that there is no need to follow any of the anti gerrymandering provisions of the Constitution, including what the court specifically stated in their decision that the plan that they overruled unduly favored the Republican Party over the Democratic Party. That is essentially like me robbing a bank and saying that is my money. That is frankly absurd. And if this is, I think, the direction that this whole commission is going to, or at least the majority members of this commission are going to buy into in this process, I can guarantee that we will be back here in a couple of weeks, not only probably redrawing state maps, but also again, congressional maps. The only reason that we are in this state is not because of the Constitution and the provisions that were overwhelmingly passed by Ohio voters. It's simply because we have commissioners who do not want to follow the Constitution and do not want to follow the rule of law and do not want to follow the court's decisions. What we find ourselves in now regarding the election completely avoidable and also easily remedied by moving the primary date and most importantly, by passing a constitutional map. And we have an opportunity to work together as a commission. This deadline that we have this morning at 10:00 is completely artificial. We can right now meet and discuss as long as it takes to get this done, to come to some agreement, get to a map that will pass constitutional muster that will get bipartisan support will be in effect for 10 years. And will allow us to conduct elections. And it's really that simple.

**Senate President Matt Huffman** [00:41:22] Mr. Chairman?

**Co-chair Speaker Bob Cupp** [00:41:23] Senator Huffman.

**Senate President Matt Huffman** [00:41:25] Thank you, Mr. Chairman. So in regards to following, I think the phrase was none of the anti gerrymandering provisions. I think that's inaccurate. Section two, for example, has a variety of things that were built into this, in fact, were demands of the various advocate groups. And I'll just go through some of those. We wanted to make sure that each district included at least one whole county. This is section two. Section two B 8. So that was included. That's something that has to be followed. No to Congressional District shall share portions of the territory or more of more than one county, except for a county whose population exceeds 400,000. And that was done because if you for those of you who remember they complained about District four that split two or three counties getting up to a certain point. We eliminated that as a if you want to call it, gerrymandering or whatever you want to call it. If one of the 88 counties, 65 counties have to remain whole, our 18 counties may be split not more than once in five counties, maybe split, not more than twice. Well, in this case, there's only. We've eliminated counties that are split more than twice. So we've gone beyond the line drawing requirements that are in the Constitution. And I'll let everyone read Section two and look at all of those various things that were demands by various folks to prevent all of this. And of course, you have a much more compact map that's presented the map that I presented here to the to the commission today than what was presented in 2011. So I think that's inaccurate. And and the other part, the part of this, you know, the constitutional setup here is this is a different group of people making this decision than the General Assembly. The General Assembly can pass a map and each of the folks there may be affected by different things, you know, namely their own congressional people and who may affect how they vote. And of course, getting 50 votes and 17 votes sometimes is very difficult to do. But we have folks on this commission who have a different view, potentially because they don't represent the same kind of constituencies, caucuses, all of those that that the legislative members on this commission do. So I disagree with the comments respectfully, but and appreciate again, and I would ask that the motion to amend be denied.

**Senate President Matt Huffman** [00:44:15] There further discussion, Senator Sykes, co-chair, Sykes.

**Co-chair Sen. Vernon Sykes** [00:44:20] Thank you, co-chair. Just just briefly, you know, it's been indicated that the, you know, some major incentive to get a 10 year plan to in order to have bipartisan agreement. But when we look at the both of the constitutional amendments, the largest component, the most significant aspect was really a different concept than just anti-gerrymandering. It was. It was fairness. And there's fairness in both of the changes was equated to proportionality with the state districts and then would unduly favor not to unduly favor a political party with the congressional districts. And it's not just the line drawing requirements. The line drawing requirements are not the focal here. And to simply overlook or try to bypass or not to consider the main focus of the initiative. As again, I agree with Leader Russo, is absurd. Yeah.

**Senate President Matt Huffman** [00:45:36] Let me just, first of all, object to the assertion that Representive Russo made that the only reason we don't have maps that has so far withstood consideration by the court is because the commissioners don't want to. As I've pointed out on multiple occasions, this is a new provision of the Constitution. We're working our way through it, trying to find a pathway forward. There are legitimate differing interpretations of what it means or what it requires. There's conflict on the Supreme Court as to what it requires. This is not a clear path forward. And I do not agree that members of this commission have not tried to do this in good faith, erring in in some respects for what the court has looked at it and we have consistently tried to find our way forward. So in all of this, the rhetoric and disagreements and stuff, I think it's important that we don't attribute bad faith to either side of this. And so I just want to go on record as what my position is on on that. Further discussion. Chair recognizes Auditor Faber.

**Auditor of State Keith Faber** [00:46:58] Thank you. A question for the sponsors of the amendment. As I look at it, and it may be that I just can't tell, District three was reconvened significantly from the proposed map. How does that or does that comply with Article two, Section B 4 A with regard to keeping Columbus largely in one district and I can't tell. I don't know whether it does or doesn't, but it looks based on the geography that a substantial portion of this district is outside the city of Columbus. And so therefore it looks to me like you're doing what you indicated the concern was in other areas for the opposite effect. So I just curious about that, if you could help me understand that.

**House Minority Leader Allison Russo** [00:47:48] Sure. Through the chair, Auditor Faber, yes, there were some changes made to District three. It actually still includes a substantial and I believe, almost exactly the same proportion of Columbus that the previous version did. It's just a different way to split it. And overall, it creates a plan that meets the does not unduly favor Republicans and disfavor a Democrat requirement of the court's decision. Now, as we discussed in our meeting last evening, that change in particular to 15, four and three. There are a couple of different options there that we certainly are willing to discuss and consider. One of which, frankly, you know, does not require necessarily a change to District three. Many different options. We are willing to continue those discussions about that particular district. This is certainly one option. Frankly, in my mind, there were probably about three to five different options.

**Auditor of State Keith Faber** [00:49:01] And thank you for that Leader Russo. But and I'm just and maybe this is a question to everybody in general. But as I try and read and understand Section B 2 4 A, is it in? Was it when you guys drafted this provision, the understanding that to the extent you can, we are required to. It is easy with Cincinnati because Cincinnati needs to be wholly within a district because of those ratios, but because the city of Columbus is larger than one congressional district. Is it your understanding of this provision that you're supposed to put the majority of the city of Columbus, even though it's larger than one district in one whole congressional district versus splitting Columbus in multiple different ways in essentially creating different options. My interpretation is that you're required to the extent you can to keep Columbus most of Columbus in one district. And if not, you're supposed to affiliated with distressed communities that are closely affiliated with that at a minimum. And I'm just curious if that's your read of this as well. And if that's the case, it frankly doesn't look to me like three is going to follow that.

**House Minority Leader Allison Russo** [00:50:17] Through the chair Auditor Faber. Yes, we believe that we have met the provision in the Constitution and have kept a majority of Columbus within that district. And again, there are multiple a Columbus is big enough, frankly, that there are multiple ways to do that.

**Auditor of State Keith Faber** [00:50:37] So again, and I don't want to belabor this because I can't see the detail and I'll take your word for it. But your interpretation is, my interpretation is correct. We're required to the extent we can keep Columbus largely together in one district is, is that the baseline understanding? I assume you did that because I can't tell. But, is your view. When I tried to draw my version, that's what I tried to do, and I just want to make sure we're in agreement on.

**House Minority Leader Allison Russo** [00:51:03] Through the chair, Mr. Auditor. Yes, certainly. Again, we believe that we have met the provision. There are multiple multiple ways to do that. I would also note that Columbus is an interesting city and that we have many non-contiguous parts of the city as well. And so, you know, again, there are multiple ways to do this.

**Co-chair Speaker Bob Cupp** [00:51:27] Is there further discussion? I would just say that I did appreciate the the conversation that we had yesterday, late afternoon, I guess, in terms of the proposed changes that were being suggested. And for this, as far as I'm concerned and the house side, we spent a considerable amount of time with our map drawer to take a look at these and see how they would impact the overall map. But like with any change, it does create some, you know. Some. Some opposite impacts as well. So, for example, a congressional district nine, which is in northwest Ohio. It then creates a district that runs from the Indiana line all the way to Lorain, I think which is even even less compact than it was before. And so in in in the constitutional sense, it believe it really makes any contribution to the constitutionality of it, although it might in terms of shifting the Republican-Democrat index, I look at District 15 and and that one stretches out across Ohio to the West because it was a remnant of other changes that were that were made. But to move, that makes that one more compact, House District four becomes less compact. And now you have a district that runs from I'm not sure what county that is, actually. Way below I-70 going all the way, almost all the way back up to Lorain, which was a constant example of a gerrymandered district in the public hearings that we had, so that those have some adverse impacts to it. The. And I believe that the map that was offered does meet the constitutional objections that were pointed out to the court, by the court, in terms of of the concerns they pointed out, particularly Hamilton County. And that was because it was split twice instead of once in the the Strigari map. It is now split it once. I'm not entirely sure, but I think the compact ratio in District seven that would be reconfigured is makes it at least somewhat less compact. And so, so, so so the amendments don't particularly solve any of the problems, and I realize this is as much of an art as a as a science. But there are some things that it doesn't make it a perfect map, either.

**House Minority Leader Allison Russo** [00:55:09] Mr. Chair.

**Co-chair Speaker Bob Cupp** [00:55:11] Yeah, Representative Russo.

**Co-chair Speaker Bob Cupp** [00:55:12] So thank you, Mr. Chair. And I would like to respond to a couple of your comments regarding certainly, you know, some of the changes to other districts and concerns about compactness. I would note that overall, the map with the changes that we have proposed actually make the map. They score higher on the overall compactness score. But certainly, if there are specific concerns about districts, for example, you noted districts five and four, I will note that certainly in our discussions with the Auditor Faber, he actually brought forward a couple of different recommendations that I believe he may have shared with some other commissioners that I think reasonably may also address some of those concerns and address some of our concerns as well. So I say all of this to say again, you know, let's take a day to have these discussions and come to some sort of resolution and compromise on this because I do believe that there is a path forward to do that. And again, not sure why we are under this artificial deadline to vote on this today, when there are clearly some alternatives here that possibly could get us to a bipartisan agreement, meet our objectives. If the objective is to get to a constitutional map that is bipartisan, that lasts 10 years, which that is my objective and to not have the court have to intervene in this again, if that is the objective, then we should take the time to do that. And I think that there are members on this commission from the majority party who have a willingness to do that. And I would strongly encourage that.

**Co-chair Speaker Bob Cupp** [00:57:03] Further discussion? The question then, is on the amendment. Shall the amendment proposed by Representative Russo be adopted? The staff will call the roll please.

**Clerk** [00:57:18] Co-chair Speaker Cupp.

**Co-chair Speaker Bob Cupp** [00:57:18] No.

**Clerk** [00:57:21] Co-Chair Senator Sykes.

**Co-chair Sen. Vernon Sykes** [00:57:22] Yes.

**Clerk** [00:57:22] Governor DeWine.

**Gov. Mike DeWine** [00:57:23] no.

**Clerk** [00:57:24] Auditor Faber.

**Auditor of State Keith Faber** [00:57:25] No.

**Clerk** [00:57:26] President Huffman.

**Senate President Matt Huffman** [00:57:26] No.

**Clerk** [00:57:28] Secretary LaRose.

**Secretary of State Frank LaRose** [00:57:30] no.

**Clerk** [00:57:30] Leader Russo.

**House Minority Leader Allison Russo** [00:57:30] Yes.

[00:57:30] Mr. Speaker, two of five.

**Co-chair Speaker Bob Cupp** [00:57:34] The vote is two to five. The amendment has not been agreed to. We're now back to the original motion from Senator Huffman to approve the March 2nd, 22 Strigari map by name that has been uploaded. Is there further discussion. If there's no further discussion, these staff will call the roll, please.

**Clerk** [00:57:57] Co-Chair Speaker Cupp.

**Co-chair Speaker Bob Cupp** [00:57:58] Yes.

**Clerk** [00:57:59] Co-Chair Senator Sykes.

**Co-chair Sen. Vernon Sykes** [00:58:00] no.

**Clerk** [00:58:01] Governor DeWine.

**Gov. Mike DeWine** [00:58:03] yes.

**Clerk** [00:58:03] Auditor Faber

**Auditor of State Keith Faber** [00:58:05] yes.

**Clerk** [00:58:05] President Huffman.

**Senate President Matt Huffman** [00:58:05] Yes.

**Clerk** [00:58:06] Secretary LaRose.

**Secretary of State Frank LaRose** [00:58:07] Yes

**Clerk** [00:58:08] Leader Russo.

**House Minority Leader Allison Russo** [00:58:09] No.

**Clerk** [00:58:10] Mr. Speaker, 5-2.

**Co-chair Speaker Bob Cupp** [00:58:12] Vote is five to two. The motion has been agreed to and the map has been adopted and would direct staff to upload this to the Secretary of State as soon as possible so that the March 4th filing deadline will be available to candidates and that we can proceed with the March, the May 3rd May... The May Primary Election. Any further business to come before the commission? Hearing none, the commission is adjourned.