

## Ohio Redistricting Commission – 9-13-2023

<https://ohiochannel.org/video/ohio-redistricting-commission-9-13-2023>

**Gov. Mike DeWine** [00:00:00] As Governor of Ohio and as a member of the Ohio Redistricting Commission, pursuant to Article Eleven, Section One and Nine of the Ohio Constitution. I call this meeting to order. We will now do the presentation of the member appointments to the Ohio Redistricting Commission and let them be entered in the record. Jeff LaRe is the appointee to the Commission by the Speaker of the House of Representatives. Let the record reflect this appointment. Allison Russo is the appointee to this Commission by the Minority Leader of the House of Representatives. Let the record reflect this appointment. Robert McColley is the appointee to this commission by the President of the Senate. Let the record reflect this appointment. Nickie Antonio is the appointee to this commission by the Minority Leader of the Senate and let the record reflect this appointment. I will state for the record in compliance with the Ohio Constitution, none of the appointees are current members of Congress.

**Gov. Mike DeWine** [00:01:15] So let me -- we now will move to the swearing in of the commission. Everyone will please raise their right hand. I solemnly swear.

**Commissioners** [00:01:38] I solemnly swear.

**Gov. Mike DeWine** [00:01:39] To support the Constitution of the United States.

**Commissioners** [00:01:43] To support the Constitution of the United States.

**Gov. Mike DeWine** [00:01:46] And the Constitution of the state of Ohio.

**Commissioners** [00:01:46] And the Constitution of the state of Ohio.

**Gov. Mike DeWine** [00:01:49] And to faithfully discharge the duties of the office.

**Commissioners** [00:01:52] And to faithfully discharge the duties of the office.

**Gov. Mike DeWine** [00:01:55] As a member.

**Commissioners** [00:01:56] As a member.

**Gov. Mike DeWine** [00:01:58] Of the Ohio Redistricting Commission.

**Commissioners** [00:01:59] Of the Ohio Redistricting Commission.

**Gov. Mike DeWine** [00:02:01] On which I serve.

**Commissioners** [00:02:02] On which I serve.

**Gov. Mike DeWine** [00:02:04] Pursuant to Article 11.

**Commissioners** [00:02:06] Pursuant to Article 11.

**Gov. Mike DeWine** [00:02:08] Section one of the Ohio Constitution.

**Commissioners** [00:02:10] Section one of the Ohio Constitution.

**Gov. Mike DeWine** [00:02:12] This I shall do.

**Commissioners** [00:02:13] This I shall do.

**Gov. Mike DeWine** [00:02:14] As I swear unto God.

**Commissioners** [00:02:15] As I swear unto God.

**Gov. Mike DeWine** [00:02:18] Congratulations. Secretary.

**Secretary of State Frank LaRose** [00:02:24] Governor, please stand. Raise your right hand and repeat after me. I, Mike DeWine.

**Gov. Mike DeWine** [00:02:28] I, Mike DeWine.

**Secretary of State Frank LaRose** [00:02:29] Do solemnly swear.

**Gov. Mike DeWine** [00:02:30] Do solemnly swear.

**Secretary of State Frank LaRose** [00:02:31] To support the Constitution of the United States.

**Gov. Mike DeWine** [00:02:33] To support the Constitution of the United States.

**Secretary of State Frank LaRose** [00:02:35] And the Constitution of the State of Ohio.

**Gov. Mike DeWine** [00:02:37] And the Constitution of State of Ohio.

**Secretary of State Frank LaRose** [00:02:39] And to faithfully discharge.

**Gov. Mike DeWine** [00:02:40] And to faithfully discharge.

**Secretary of State Frank LaRose** [00:02:41] The duties of the office.

**Gov. Mike DeWine** [00:02:42] The duties of the office.

**Secretary of State Frank LaRose** [00:02:43] As a member of the Ohio Redistricting Commission.

**Gov. Mike DeWine** [00:02:46] As a member of the Ohio Redistricting Commission.

**Secretary of State Frank LaRose** [00:02:48] On which I serve.

**Gov. Mike DeWine** [00:02:49] On which I serve.

**Secretary of State Frank LaRose** [00:02:50] Pursuant to Article 11.

**Gov. Mike DeWine** [00:02:52] Pursuant to Article 11.

**Secretary of State Frank LaRose** [00:02:54] Section One of the Ohio Constitution.

**Gov. Mike DeWine** [00:02:55] Section One of the Ohio Constitution.

**Secretary of State Frank LaRose** [00:02:57] This I do as I shall answer under God.

**Gov. Mike DeWine** [00:02:59] This I do as I shall answer under God.

**Gov. Mike DeWine** [00:03:12] So we have a quorum. Ask Mr. Donahue to please call the roll.

**Matthew Donahue, Clerk** [00:03:20] Governor DeWine.

**Gov. Mike DeWine** [00:03:20] Present.

**Matthew Donahue, Clerk** [00:03:23] Auditor Fabor.

**Gov. Mike DeWine** [00:03:23] Present.

**Matthew Donahue, Clerk** [00:03:25] Secretary LaRose.

**Secretary of State Frank LaRose** [00:03:26] Here.

**Matthew Donahue, Clerk** [00:03:28] Leader Antonio.

**Sen. Nickie Antonio** [00:03:29] Present.

**Matthew Donahue, Clerk** [00:03:30] Senator McColley.

**Sen. Rob McColley** [00:03:30] Present.

**Matthew Donahue, Clerk** [00:03:30] Representative LaRe,.

**Rep. Jeff LaRe** [00:03:34] Here.

**Matthew Donahue, Clerk** [00:03:35] Leader Russo.

**Rep. Allison Russo** [00:03:35] Present.

**Gov. Mike DeWine** [00:03:38] We have a quorum present. And filing the certificate of compliance to the public meeting notice provisions of Section 121.22 to of the Ohio Revised Code. We would now move pursuant to Article 11, Section One, which reads as follows. The legislative leaders in the Senate and the House of Representatives of each of the two largest political parties represented in the General Assembly, acting jointly by political party, shall appoint a member of the Commission to serve as a co-chair of the Commission, end of quote. It is my understanding the Chairpersons have not been appointed at this time. I just would ask members if that is correct. We do not have an appointment.

**Rep. Jeff LaRe** [00:04:42] No sir.

**Gov. Mike DeWine** [00:04:42] On the Republican side. We do not have an appointment at this point on the Democrat side.

**Rep. Allison Russo** [00:04:48] Correct.

**Gov. Mike DeWine** [00:04:51] So at this point, I would normally turn the meeting over to the co-chairs. The co-chairs are not appointed and have not been appointed. We're going to have a recess. Let me just say that we would, I would hope that we would get the co-chairs appointed very, very soon. And we will - I'm going to, in a moment, recess until 8 a.m. Friday morning. What I'm going to do, however, is notify the parties that if by 5:00 tomorrow, they have not notified me that they've reached an agreement, we will not have the Friday - we will not have the Friday meeting. No reason for people to come in. I'm hopeful that this will get worked out before then. Any body have a comment, anything? So we will recess then until 5:00 or excuse me, we recess until 8 a.m. Friday morning. Thank you.

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**Co-Chair Auditor Keith Faber** [00:00:00] We will come back order pursuant to recess. We are being called back into order. Would you clerk call the roll?

**Tom Hancock, Clerk** [00:00:12] Governor DeWine?

**Tom Hancock, Clerk** [00:00:14] Auditor Faber.

**Co-Chair Auditor Keith Faber** [00:00:15] Yes.

**Tom Hancock, Clerk** [00:00:16] Secretary LaRose.

**Secretary of State Frank LaRose** [00:00:17] Here.

**Tom Hancock, Clerk** [00:00:19] Representative LaRe.

**Rep. Jeff LaRe** [00:00:20] Here.

**Tom Hancock, Clerk** [00:00:21] Senator McColley.

**Sen. Rob McColley** [00:00:21] Here.

**Tom Hancock, Clerk** [00:00:23] Leader Antonio?

**Co-Chair Senate Minority Leader Nickie Antonio** [00:00:24] Here.

**Tom Hancock, Clerk** [00:00:24] Leader Russo.

**House Minority Leader Allison Russo** [00:00:25] Here.

**Co-Chair Auditor Keith Faber** [00:00:28] A quorum is present. To everybody's knowledge, as as everybody knows, at least I hope you know, the governor is here in spirit and actually is here electronically. My understanding is, is that he has tested positive for COVID and for everybody's safety. He has decided to participate in this meeting remotely. And I hear no objections to that. Any objections. Hearing none the record will so reflect. The first thing we have to do is to read the co-chair appointments into the record. Apparently we have co-chair appointments. Do we have co-chair appointments to read into the record?

**Co-Chair Senate Minority Leader Nickie Antonio** [00:01:19] Should have letters. Do you have the letters? It's coming. She has the letters. Yeah.

**Co-Chair Auditor Keith Faber** [00:01:32] All right. There we have them. Pursuant to - Pursuant to the Constitution, Article 11, Section 1 of the Ohio Constitution, the Speaker of the House and the President of the Senate have appointed Keith Faber the Republican co-chair. And pursuant to the same section of the Constitution. My understanding is apparently we have multiple copies of these.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:02:04] Yes, multiple copies.

**Co-Chair Auditor Keith Faber** [00:02:05] Everybody can have one. These are the Republicans.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:02:08] Yes.

**Co-Chair Auditor Keith Faber** [00:02:10] I don't have one for you, that's Matt's. Also, pursuant to Article 11, Section 1 of our Constitution. Minority Leader of the House and Minority Leader of the Senate have appointed Senator Nickie Antonio as the Democrat co-chair. Welcome. Thank you.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:02:32] Thank you.

**Co-Chair Auditor Keith Faber** [00:02:33] Hearing no objection, those will be read into the record and accepted. Let the record reflect these appointments. Co-Chair Opening remarks. Leader Antonio.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:02:44] Oh, well.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:02:49] There's no button. You just talk.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:02:51] Here. We'll start. Okay? This is one of those. Well, I want to thank everyone for being here today. We're looking forward to a fair and balanced process. We are very hopeful about that and hopeful that we will also -- our work will produce a fair and balanced map that serves the people of the state of Ohio well. And I am honored to be here today. I also know what a serious -- what serious consequences there are in the work that we do. And I am hopeful that it will produce the best outcome for the people of Ohio who are counting on us to make sure that we have maps that represent their interests and their hopes for the future. Thank you.

**Co-Chair Auditor Keith Faber** [00:03:46] Thank you, Leader Co-Chair. It is finally good to be able to get down to business to pass new maps for the people of Ohio. I'm optimistic that if we work in good faith and trust the process set forth in the Constitution, that we can reach a good result for Ohio. I will aim, along with my co-chair to make sure we run efficient meetings that we can work to meet the deadline set by Secretary LaRose if possible. So let's get to work. Our first item here on my agenda, I guess, since we're operating as a consensus, is we do not have rules that are going to be adopted. I know the parties have talked about trying to adopt rules and we can't get bipartisan consensus on that. So we're going to operate as a committee of the whole and subject to motions and moving things forward in a normal parliamentary procedure. My first. Go ahead.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:04:38] Co-Chair I think Leader Russo would like to comment on that.

**House Minority Leader Allison Russo** [00:04:44] Yes. Thank you, Madam co-chair and co-chair Auditor Faber. You know, let me just say, first of all, the Constitution requires that we do adopt rules as part of this process. We have had a number of back and forth. Also, the requirement is that a member of both the majority and the minority agree to those rules. We have had a number of back and forth about the rule, rules, made some progress on them. Unfortunately, from our perspective, it became clear that the other constitutional requirement to hold public hearings, that the proposed revisions to the rules that we did not agree to would undermine that process. And I just want to be very clear that it took us

16 months to reconvene, another week because of delays, and the people of Ohio should not be shortchanged in terms of their opportunity and public hearing processes, public processes to weigh in on proposed plans by this commission. And so that is simply a portion of the rules that we are not willing to acquiesce on. And so that is why we come here today and do not have rules that have agreement between the majority and minority members of this commission.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:06:17] Co-Chair Any other comments on the rules?

**Co-Chair Senate Minority Leader Nickie Antonio** [00:06:20] I think, I think my colleague said it well. Again, to reiterate, though, we hope that whatever decisions this commission makes are in the best interest of all of the people of Ohio. They're counting on us.

**Co-Chair Auditor Keith Faber** [00:06:34] Anyone else want to make any comments with regard to the rules? All right. Hearing none. Do I have a motion for proposed rules? I have no motion for proposed rules. Therefore, the next item I have on my agenda is to set hearing dates and location for our next meeting. Is there a motion?

**Sen. Rob McColley** [00:06:59] Yes. If I could co-chair Faber, I would put a motion on the floor that we set three meeting dates. Friday, September 22nd, 2023. Monday, September 25th, 2023 and Tuesday, September 26, 2023. All at 10 a.m. Eastern Daylight time, unless otherwise designated by joint agreement of the co-chairpersons. The Friday meeting to occur at Deer Creek State Park and Conference Center, located at 22300 State Park Road, Mount Sterling, Ohio. The Monday, September 25th meeting to occur at Punderson Manor Lodge and Conference Center, located at 11755 Kinsman Road, Newbury Township, Ohio, and the Tuesday, September 26 meeting to occur in the Senate Finance Hearing Room at the Ohio Statehouse, located at One Capitol Square, Columbus, Ohio.

**Secretary of State Frank LaRose** [00:08:04] Second.

**House Minority Leader Allison Russo** [00:08:05] Objection.

**Co-Chair Auditor Keith Faber** [00:08:08] We have a motion that's been seconded. We also have an objection. Objection basis? Go ahead.

**House Minority Leader Allison Russo** [00:08:14] Thank you, Co-Chair. While I appreciate that these have been on three separate days, again, this seems like a very accelerated back to back timeline for public hearings. I question the ability to have meaningful public input during these meetings in such a compressed timeline. Also disappointed that the third location is right here in Columbus instead of outside of Columbus, so that we give the citizens of Ohio more opportunity to weigh in. So for that reason, I'm objecting and will not be voting to support the time and location.

**Co-Chair Auditor Keith Faber** [00:08:54] Any other comments? Any other discussion?

**Secretary of State Frank LaRose** [00:08:56] Perhaps I should comment on the timeline Co-Chair.

**Co-Chair Auditor Keith Faber** [00:08:58] Go ahead.

**Secretary of State Frank LaRose** [00:08:59] I think I've spoken loud and clear that there's great urgency in getting this done. I set the date of the 22nd. Now, that would be my aspiration. But with each day that goes beyond that, I would say that the opportunity for problems grows. And so the sooner that we can get this work done, complying with the public meeting requirements, the better. And the schedule that was laid out by Senator McColley gives ample opportunity in different regions around the state for the public to engage and also keeps us moving as quickly as possible so that we can get this work accomplished.

**Co-Chair Auditor Keith Faber** [00:09:33] Co-chair?

**Co-Chair Senate Minority Leader Nickie Antonio** [00:09:33] Yes. Thank you. While I appreciate that, I appreciate the fact that I know one of the points of contention have been around having these on three separate days. So in the spirit of that, I appreciate the fact that they are three separate days, even though, as my colleague has pointed out, very, very compressed timeline. My concern with these I have more concern, frankly, with the locations. There is there's nothing here that gives folks in any of our urban centers in the state of Ohio an opportunity, I guess you could say the Senate location, gives some folks from the Columbus area a chance. But northeast Ohio, south, south central Ohio, somewhere in the state where where folks would be able to weigh in from the urban areas. And I wonder if there would be some consideration for changing at least even the the one in Columbus to one of our urban center areas.

**Sen. Rob McColley** [00:10:48] To the chair. So the the Punderson Manor is in Geauga County. So that that is in northeast Ohio and in an area that could see some changes to its districts under probably both maps not being as familiar with the with the proposal by Leader Antonio and Leader Russo just yet. Deer Creek State Park, I believe, is between Cincinnati and Columbus and pretty nearby to Dayton as well. And so you're going to have an opportunity with that for all three of those cities to participate with a short drive.

**Co-Chair Auditor Keith Faber** [00:11:31] Happy to recognize you. Leader Russo.

**House Minority Leader Allison Russo** [00:11:37] Thank you, Co-Chair. A quick question for the proposal here. So on Tuesday is the intent, because it is the Senate Finance room, is the intent then to hold a commission meeting immediately after and presumably vote on a map? Is that the intent.

**Sen. Rob McColley** [00:11:59] To the to the chair, to Leader Russo. That's not been settled yet.

**House Minority Leader Allison Russo** [00:12:07] Thank you.

**Co-Chair Auditor Keith Faber** [00:12:10] My understanding, Senator McColley, is is that looking at state park locations or state facilities, that that there was some limited availability and these are all available on those dates? Yes. Okay. Is there a reason we chose the Senate Hearing Room instead of this room again?

**Sen. Rob McColley** [00:12:27] I'm open to having this room. It's just when we were looking at available locations. I don't control this room, but the Senate clerk controls the Senate Finance Hearing Room, so it was easier to get an answer.



**Co-Chair Auditor Keith Faber** [00:12:42] And the other thing is, is we are required to broadcast these hearings. And my understanding is OGT is available to meet those broadcast requirements at these locations?

**Sen. Rob McColley** [00:12:52] That is my understanding.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:12:56] Mr. Co-chair, could you could you repeat that again? The end about OGT. I didn't. I don't know that I heard all of what you were saying.

**Co-Chair Auditor Keith Faber** [00:13:02] I think we're required to broadcast these. And I think OGT is generally who we use to broadcast them.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:13:08] And so, again, you're saying would be available in all these places?

**Co-Chair Auditor Keith Faber** [00:13:12] That is my understanding. I did not contact them. But I assume that -- my question is, is we want to make sure we have the ability to broadcast in these locations. Senator McColley says he shook his head affirmatively. I'm not hearing any objection from the OGT people either. They usually get the job done. See, there you go. That's what I wanted to hear. God love OGT, they get the job done. Any other discussion on the motion? Okay, we have a motion and a second. Is there a willingness to call the roll?

**Secretary of State Frank LaRose** [00:13:45] Yes.

**Co-Chair Auditor Keith Faber** [00:13:47] Hearing no objection to calling the roll.

**House Minority Leader Allison Russo** [00:13:50] Objection.

**Co-Chair Auditor Keith Faber** [00:13:50] Yeah, go ahead.

**House Minority Leader Allison Russo** [00:13:50] Sorry. I got it. Are we calling the roll? Yes.

**Co-Chair Auditor Keith Faber** [00:13:54] Yes. If there's no objection to calling the roll, I will call the roll.

**House Minority Leader Allison Russo** [00:13:59] My apologies. My apologies. I got lost in my process here.

**Co-Chair Auditor Keith Faber** [00:14:01] So without objection, I'd ask the clerk to call the roll, please, on the motion for these three locations on those three dates.

**Tom Hancock, Clerk** [00:14:10] Co-Chair Faber.

**Co-Chair Auditor Keith Faber** [00:14:11] Yes.

**Tom Hancock, Clerk** [00:14:13] Co-Chair Antonio.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:14:14] No.

**Tom Hancock, Clerk** [00:14:16] Secretary LaRose.

**Secretary of State Frank LaRose** [00:14:17] Yes.

**Tom Hancock, Clerk** [00:14:19] Representative LaRe.

**Rep. Jeff LaRe** [00:14:21] Yes.

**Tom Hancock, Clerk** [00:14:23] Senator McColley.

**Sen. Rob McColley** [00:14:24] Yes.

**Tom Hancock, Clerk** [00:14:26] Leader Russo.

**House Minority Leader Allison Russo** [00:14:26] No.

**Tom Hancock, Clerk** [00:14:28] Governor DeWine.

**Co-Chair Auditor Keith Faber** [00:14:40] We have four yes, two no. With four yes recordings, or recorded votes. We do have consensus of the commission to set the hearings as scheduled on the dates as scheduled.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:14:55] Mr. Chair, I just I think we have a majority, but I don't know that we have consensus. Consensus would suggest that we all agreed. And we did not --.

**Co-Chair Auditor Keith Faber** [00:15:05] I will accept your friendly amendment to my words.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:15:08] All right. But we did not talk about the definition.

**Co-Chair Auditor Keith Faber** [00:15:10] I meant we have a majority, We have a decision. How about that?

**Co-Chair Senate Minority Leader Nickie Antonio** [00:15:13] I will accept that.

**Co-Chair Auditor Keith Faber** [00:15:14] We have adopted -- how about we say we've adopted a schedule?

**Co-Chair Senate Minority Leader Nickie Antonio** [00:15:17] Okay.

**Co-Chair Auditor Keith Faber** [00:15:18] Is that fair?

**Co-Chair Senate Minority Leader Nickie Antonio** [00:15:18] Ok. I will accept that.

**Tom Hancock, Clerk** [00:15:20] All right. So without objection, we have adopted a schedule pursuant to the vote, and the schedule will be laid out Friday will be in Deer Creek at 10 a.m.. Monday will be at Punderson State Park at 10 a.m. and Tuesday will be I presume it will be in the Senate Finance Hearing Room.

**Secretary of State Frank LaRose** [00:15:38] That's what we just approved.

**Co-Chair Auditor Keith Faber** [00:15:39] Okay. Okay. That's our schedule. Other matters to come before the committee. Any other matters for the committee?

**Co-Chair Senate Minority Leader Nickie Antonio** [00:15:47] Um, Leader Russo.

**Co-Chair Auditor Keith Faber** [00:15:49] Leader Russo.

**House Minority Leader Allison Russo** [00:15:51] Thank you, Co-Chair. I'd like to take the opportunity today. I assume that they're going to be some maps proposed. Is that correct?

**Co-Chair Auditor Keith Faber** [00:16:01] We are open to do whatever the committee willing is. Is willing to do so if you want to make a proposal or discussion of maps, have at it.

**House Minority Leader Allison Russo** [00:16:07] Thank you. Thank you, Co-Chair. So today I am pleased to propose to this committee the Russo and I move, move to accept this proposal. I've put forwarding an proposed map called the Antonio Russo map. We actually released this to the public yesterday and happy to provide the map and information. We've got packets for the committee members. This map, we believe, meet all of the constitutional technical requirements.

**Co-Chair Auditor Keith Faber** [00:16:45] Leader Russo, before you go to describing the map, you're moving to introduce the map?

**House Minority Leader Allison Russo** [00:16:50] Correct. Yes.

**Co-Chair Auditor Keith Faber** [00:16:50] Do I have a second?

**Co-Chair Senate Minority Leader Nickie Antonio** [00:16:52] Second.

**Co-Chair Auditor Keith Faber** [00:16:52] So we have a motion and a second discussion on the motion. Leader Russo.

**House Minority Leader Allison Russo** [00:16:56] Okay. Thank you. So the map that we have before us and I will ask - thank you - my staff passes out again. We released this to the public yesterday. The link is available on Dave's Redistricting for the public if they'd like to take a look at this. This map meets all constitutional requirements as laid out. It also reflects the voting preferences of Ohioans in the time period prescribed. In the time period prescribed as well as it does not favor one political party over the other. It is actually more compact than the existing map that we have. We attempt to keep communities together as the requirements ensure that we do. And we also believe that this map, in terms of if we look at minimizing splits, this map again, has less total splits than the current map that we are operating under for -- So for those reasons, we believe that this map should be considered not only by this commission but also by the public for input as we move towards these public meetings. And I believe everyone now has a copy of the handouts. And as you can see, it lays out in terms of the distribution of seats. The Russo Antonio Map provides for -- sorry I'm doing, looking at this real quick -- 19 Republican Senate seats, 14 Democratic seats, 56 Republican House seats, and 43 Democratic seats. So with that, happy to answer any other questions. We've also properly assigned the Senate districts per the Constitution based on the requirements of the Constitution. That

sometimes comes up as a question. And we provided and the packet of information you have all of the district numbers, the population deviations, the state Republican index, the state index, state Democratic index for each of these districts as well as the pairings and assignments for the Senate districts.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:19:41] Mr. Chair.

**Co-Chair Auditor Keith Faber** [00:19:43] Co-Chair.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:19:43] Mr. Co-Chair, I would like to add that this map respects the municipal and county boundaries while keeping communities of interest whole. I think it's important to reiterate that. I thank my colleague for giving the majority of information about this. It closely matches Ohio's statewide voter preferences, much more so than than we believe the current map does. And it acknowledges that not all Democrats live in cities. Not all Republicans live in rural areas. I think this is something we're very much aware of. Our map creates balance in a way that mirrors the will of Ohio voters in urban, suburban and rural areas. And we appreciate the consideration of the commission of this map. Thank you.

**Co-Chair Auditor Keith Faber** [00:20:35] Other discussion on the map occurred. Senator McColley.

**Sen. Rob McColley** [00:20:41] Thank you. Thank you, Mr. Chair. A question I have, and I guess it's not readily ascertainable from what's in front of us. Has there been a Section 5 analysis done on the 27th Senate District to ensure that we don't -- because I know in our maps that's something we have been cognizant of because we don't want to inadvertently put Senator Roegner into an Akron-based district.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:21:10] To the to the co-chair. To the senator. Yes. Yes, we have considered that. And there is not a conflict with that.

**Sen. Rob McColley** [00:21:19] Okay.

**Co-Chair Auditor Keith Faber** [00:21:26] Other discussion? Question. Have have you guys submitted the maptitude files to the members for review of this?

**Co-Chair Senate Minority Leader Nickie Antonio** [00:21:39] Thank you, Mr. Co-Chair. All of the files have been submitted to the commission website with the map and maptitude.

**Co-Chair Auditor Keith Faber** [00:21:49] Okay.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:21:51] Yeah.

**Co-Chair Auditor Keith Faber** [00:21:51] Other discussion. All right. What's... Hearing no other discussion. What is the will of the committee with regard to this map?

**Secretary of State Frank LaRose** [00:21:59] Question?

**Co-Chair Auditor Keith Faber** [00:22:00] I have a suggestion that we call the question. Any other discussion?

**House Minority Leader Allison Russo** [00:22:06] Yes, Thank you, Mr. Co-Chair. Again, this is not a vote on the map itself to accept it.

**Co-Chair Auditor Keith Faber** [00:22:14] You are correct. We are required to have a map as our working document.

**House Minority Leader Allison Russo** [00:22:18] Thank you.

**Co-Chair Auditor Keith Faber** [00:22:19] To have as a working document to go forward to have here.

**House Minority Leader Allison Russo** [00:22:21] That's correct. For the public hearings.

**Co-Chair Auditor Keith Faber** [00:22:24] This is accepting a working document map. It is not the adoption of a map, per se.

**House Minority Leader Allison Russo** [00:22:28] That's right. And certainly I think there can be some discussion of do we only need do we only have to have one map for discussion with the public or can there be a few proposals for the public input? And I, I think that there is an argument to be made for multiple proposals for public input.

**Co-Chair Auditor Keith Faber** [00:22:51] Certainly. Go ahead, Co-Chair.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:22:53] And I would just like to echo what my colleague just said, and I think for the purposes of this commission as well as the public, to be able to have consideration. We're at the beginning of discussions with each other about these maps. While some members may have talked to each other, we have not many of us commission members on this on this committee, been able to see or talk to each other or consider this proposal as well as I believe we're going to see a proposal, another proposal very soon. And so I think the idea of having more than one map up for consideration as the commission does this work will actually, I think, be a good move forward for the public good as well as the public trust right now that we truly are working to try to find the best solution. Thank you.

**Co-Chair Auditor Keith Faber** [00:23:54] Any other discussion? Yes.

**Secretary of State Frank LaRose** [00:23:57] Thank you. Co-Chair. Looking to look at the Article 11, Section 1, Part C, it seems to contemplate everything in the singular here. It says The commission shall release to the public a proposed General Assembly district plan for the boundaries, and that the plan shall be considered at three public hearings. So in nothing here in this part of the Constitution talks about us adopting multiple plans. It talks about a singular plan that the Commission adopts so that it can be considered for public hearing.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:24:28] Mr. Co-Chair.

**Co-Chair Auditor Keith Faber** [00:24:30] Leader Antonio.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:24:31] Co-Chair, I appreciate I appreciate the comments of my colleague and pointing out this section of of the rules. At the same time, or the rules, I guess it's the Constitution. At the same time we're operating without rules right now. We have taken a little bit of, I don't know, professional... what's the

word I'm looking for? Just a little bit of -- we've we've taken a little bit of courtesy. Thank you for, give him a prize. A little bit of professional courtesy with how we're pulling this together and working. And so I think, again, in good faith and hearing that, you know, we haven't been able to agree on the rules. And yet here we are. We formed the commission. We're going forward with the work being done. Why not also in this case, go forward with with an idea to give the public the best possible opportunity to consider maps. And I would suggest give the commission members the best opportunity for perhaps finding some kind of consideration in the middle. So I would urge that we would consider as a commission multiple proposals at this point. Thank you. Oh.

**Co-Chair Auditor Keith Faber** [00:26:05] Other comments.

**House Minority Leader Allison Russo** [00:26:06] Yes, thank you.

**Co-Chair Auditor Keith Faber** [00:26:06] Leader Russo.

**House Minority Leader Allison Russo** [00:26:08] Chair, as you know, I will follow up as well. And and also note that we have a under a court order. This commission is still operating under a court order and specifically in their decision said that we observed that when a single party exclusively controls the redistricting process, it should not be difficult to prove that the likely political consequences of the reapportionment were intended, essentially saying that we must work together as a commission. So arguably, arguably, any map put forward today, both the Russo Antonio map, Antonio Russo map, as well as what I suspect is the map that's going to be introduced next. The commission as a whole, Republicans and Democrats, did not work on this together. So as we move forward, get public input and get to an actual commission map. Perhaps it is wise to start with these two maps and come to some sort of consensus and have the public weighing in on where there are opportunities for improvement or areas of concern in both maps. But again, there is no map that will be proposed today that has been worked on by the commission as a whole.

**Sen. Rob McColley** [00:27:28] If I may.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:27:29] Senator McColley.

**Sen. Rob McColley** [00:27:30] Thank you, Mr. Chair. I think the Constitution is pretty clear and unambiguous and we have to take it and its plain reading that we have to have one map before we can we can proceed forward with our obligation to have these public hearings on the map. And so for that reason, I agree with the characterizations of Secretary LaRose that we we should we can only have one map. With that being said to the leader's most recent point, this map is is is a is a is a proposal. It's just that we're not voting on this map to adopt it today. There's going to be several hearings on this map. I hope to have more conversations on whatever map the commission decides to adopt as the working map, for lack of a better term. And so I don't -- I would respectfully disagree that we need to have a map presented in front of the entire public that has unanimous agreement on it.

**Co-Chair Auditor Keith Faber** [00:28:33] Any other discussion?

**House Minority Leader Allison Russo** [00:28:35] Sure. Mr. Chair?

**Co-Chair Auditor Keith Faber** [00:28:36] Leader Russo.

**House Minority Leader Allison Russo** [00:28:36] I'm sorry. I will point out again that the Constitution also says you shall have rules for this commission. And yet here we are without rules. And I do believe there are many parts of the Constitution in regards to this process that are clear and ambiguous but clearly have not been followed, including how we even get to these maps in the first place. Any proposal, and you're right, we're not voting on a map today, but we are voting on proposals presumably to put forward for public hearings. So, again, I think that we probably in good faith could move forward with a couple of different proposals for the public hearing in the public to weigh in on.

**Co-Chair Auditor Keith Faber** [00:29:22] Secretary LaRose.

**Secretary of State Frank LaRose** [00:29:23] Well, we're diving into the words of the Constitution. I may just disagree with my friend, Leader Russo. I don't see in here anywhere a requirement that the condition that the commission shall or must adopt rules. What it simply says in 2A is that if the Commission chooses to adopt rules, it has to be by a vote with bipartisan support. But I remember that last time we were working together a few years ago that we had three or four meetings before there were rules. And so if someone wants to propose rules, if they can get the requisite vote. Great. Otherwise, we continue to operate and follow the Constitution as our set of rules.

**Co-Chair Auditor Keith Faber** [00:30:01] Mr. Chairman.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:30:03] There's a question.

**Co-Chair Auditor Keith Faber** [00:30:04] Senator McColley.

**Sen. Rob McColley** [00:30:04] I would also like to point out that the attorney general in the letter that he put out earlier this week has echoed that sentiment.

**House Minority Leader Allison Russo** [00:30:12] I'm sorry, again, Mr. Chair.

**Co-Chair Auditor Keith Faber** [00:30:15] Leader Russo.

**House Minority Leader Allison Russo** [00:30:15] We're going to split hairs here. But in Article 6 of the Constitution, it is pretty clear that there is a requirement under Section 7. Sorry, losing my place here, 7 2 A i. that in fact, the parties. Let's let me read the sentence here. Shall be required to do the following: Adopt rules of the Commission, hire staff for the Commission, expend funds, so we consider that a requirement. I will also say that the Attorney General's memo, while it seemed to make a case for their not having to be co-chairs of this commission, which was an interesting legal opinion, it to my interpretation, seemed to be fairly silent on the rules process because of the requirements outlined in the Constitution. So, you know, we can move on from this point. But again, we will make the argument that it is healthy to have a few proposals for the public to weigh in on.

**Co-Chair Auditor Keith Faber** [00:31:25] Senator McColley.

**Sen. Rob McColley** [00:31:26] Thank you, Mr. Chairman. I'd just like to point out the the section of it is. Section 1 of Article 11, Section 2, Division A simply talks to the to the vote that would be required to adopt rules. It doesn't have any requirement in it that the commission have rules.

**Co-Chair Auditor Keith Faber** [00:31:51] All right. There's also another provision, section C of that that talks about if the commission is going to do it, shall set a schedule for the adoption of rules. So one of our agenda items for meetings going forward to see if anybody has proposed rules that we will adopt. So going forward, we have a proposed motion. We have a second on the motion to have the Antonio Russo map as the model going forward. Are we ready to call the rule on that proposal?

**Secretary of State Frank LaRose** [00:32:23] Yes.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:32:23] Call the question.

**Co-Chair Auditor Keith Faber** [00:32:25] Without objection, we will call the question. Clerk, call the roll on adopting the Antonio Russo map as our working map.

**Tom Hancock, Clerk** [00:32:33] Co-chair Faber.

**Co-Chair Auditor Keith Faber** [00:32:34] No.

**Tom Hancock, Clerk** [00:32:36] Co-Chair Antonio.

**Co-Chair Senate Minority Leader Nickie Antonio** [00:32:37] Yes.

**Tom Hancock, Clerk** [00:32:39] Secretary LaRose.

**Secretary of State Frank LaRose** [00:32:40] No.

**Tom Hancock, Clerk** [00:32:40] Representative LaRe.

**Rep. Jeff LaRe** [00:32:43] No.

**Tom Hancock, Clerk** [00:32:43] Senator McCulley.

**Sen. Rob McColley** [00:32:46] No.

**Tom Hancock, Clerk** [00:32:46] Leader Russo.

**House Minority Leader Allison Russo** [00:32:49] Yes.

**Tom Hancock, Clerk** [00:32:50] Governor DeWine.

**Co-Chair Auditor Keith Faber** [00:32:54] With a present vote of four against, two in favor, the motion does not carry. Just as an aside, my understanding is, is that it would be the intent of this body going forward. Certainly, members always have the opportunity to offer amendments to any map there up until the time of final adoption. And so whatever we start out with, I would just encourage people to continue to offer suggestions. And if the majority of the Commission supports changes, we will adopt such changes by way of amendments. Anything else before the Commission?

**Sen. Rob McColley** [00:33:27] Yes, Mr. Chairman.

**Co-Chair Auditor Keith Faber** [00:33:30] Senator McColley.



**Sen. Rob McColley** [00:33:31] Thank you, Mr. Chairman. I have a proposal that I would like to offer as the the adopted map for consideration and to trigger the public meeting. And so with that, I'd my motion would be pursuant to Article 11, the Ohio Constitution. I move to introduce a proposed General Assembly District plan that the public may offer testimony on and the Ohio Redistricting Commission may consider amendments to. Each of you are on the commission are being handed a document right now that has some slides to it. I believe we have a PowerPoint that the commission should be able to see as well.

**Secretary of State Frank LaRose** [00:34:12] Let me second your motion too.

**Sen. Rob McColley** [00:34:14] Sorry.

**Secretary of State Frank LaRose** [00:34:14] Yep.

**Co-Chair Auditor Keith Faber** [00:34:15] We have a motion and a section, a second. Discussion on the motion. Senator McColley.

**Sen. Rob McColley** [00:34:21] Thank you, Mr. Chair. So we have should be the slide that's appearing right now. Maybe.

**Co-Chair Auditor Keith Faber** [00:34:32] The committee will stand at ease for 5 minutes.

**Co-Chair Auditor Keith Faber** [00:41:11] The committee will come back to order. Senator McColley.

**Sen. Rob McColley** [00:41:16] Thank you, Mr. Chairman. There should be on the display proposed House and Senate districts. Let's go to the first page, which has maps of both. And these will -- all the block assignment files and everything -- if they're not already uploaded, will be uplomadaded onto the website shortly after today's meeting. For the general public to see and for everybody to take a look at. But I want to talk a little bit about some overarching concepts of of the map. Number one, it was in discussions that we had both with with a number of commissioners, including with both members of the minority caucuses. There was a concept discussed of no pairing of incumbent members. This map does not pair incumbent members. Again, that was a at least a bipartisan understanding that we had had. This map does not pair any incumbent members. Another thing is when we look at this map, obviously, when the people of Ohio voted for the constitutional amendment and when they voted overwhelmingly in favor of it, one of the concepts that was put forth is that we will no longer needlessly split communities. We will keep communities whole. We will do so in an effort to avoid the types of hub and spoke model that you see in many of the communities and some other maps In an effort to achieve some sort of partisan partisan gains for one side or the other. And so in this map, there is actually only one city split in the entire map. We endeavored to keep every single city in the entire state whole. As far as overall splits the last map that we had operated under had three cities or excuse me, three city splits and three township splits other than those that were unavoidable. So obviously the city of Columbus was going to have to be split between House and Senate districts. We will call them permissive splits, if you will, had three townships and three cities. This map has five townships and one city. And so it's the same number of splits. If you go to the next page, we're going to start with some examples that we'd like to highlight as to how this does go into effect. So you look at the Lucas County should be what's up in front or should everybody should have their pages turned to. These are the proposed Senate districts. Anybody who is familiar with the geography of

Lucas County knows that in the current Senate district that's on your left, the second Senate District goes up right into the downtown Toledo and guts at its at its urban core. That's in my opinion and in the opinion, I'm sure, of many others who are up here with me, not what anybody voted for when they put this in place. And so the proposed Senate district map that is on your right actually includes all of Toledo in that Senate district, as it should. And that actually was a product of another bipartisan conversation that we had before we introduced this map, is that rather than having a map that split Toledo, we wish to put Toledo into its own Senate district and then have three corresponding House districts, which will be on the next page that show you how that's divided up. And so this is currently an area that is held by two Republicans and two Democrats. This is an area that would lean in three of the districts, at least in two of them very strongly Democrat, and then another district, pretty, pretty strong Democrat. And so this is something that, again, was a product, at least of some conversations that we had had on a bipartisan basis.

**Sen. Rob McColley** [00:45:11] The next page should be your Cuyahoga County proposed House districts. This is our proposal in that area. Some similarities to the current map, but also some some differences that are put in place. Naturally, as you could probably tell, if you're familiar with the existing map, the spillover House district and the spillover Senate district are going to go into Lake County in this case, which is a difference between -- between our map and, I believe at least the cursory glance that I got at the Russo Antonio map. And again, that was a requirement in this case, in order for us to avoid putting incumbents in the same district, which again was a bipartisan at least agreement that we had before we entered into this. The next is the Cuyahoga County proposed Senate districts. I apologize for the fuzzy image, but that you can see the spillover district going up into Lake County. You can see the 21st, 23rd and 24th District. Those three Senate districts will all at least lean Democrat, with two of them being very safe Democrat districts and the 24th being a district that is, I believe, an index of under 48, Republican index under 48. And so that's that's another feature of this map to look at.

**Sen. Rob McColley** [00:46:38] The next page again, we're going to do a comparison here in in Summit County that is going to compare both the current map in Summit County and the proposed map in Summit County, as far as the Senate districts are concerned. As you can see in the old map, there was a split of Akron, needlessly, due to the fact that Akron can fit within an entire Senate district. Again, we endeavored to put it within an entire Senate district. Again, that was the product of a bipartisan conversation that we had had as it pertained to the Senate districts, is that we wanted to see Akron wholly contained within a Senate district. We have done that in this case. One thing for everybody to keep in mind, and I referenced it in my question to Minority Leader Russo earlier, is that particularly in Summit County, there are Section 5 concerns as to who would represent the Senate district, depending on when where we draw the district lines. Senator Roegner was recently elected in the most recent election in 2022. Therefore, she enjoys protection under Section 5 of Article 11, which basically says that if you are in the midterm of your Senate election, you are entitled to represent the district that has either the majority or the plurality relative to other districts of the district to which you were elected. And so in this case, we have to be very careful where we draw these lines, because it is neither our intention or I'm sure it's it's not the minority party's intention either to draw a district in which Senator Roegner would end up representing what you see as the 28th District on the right side of the presentation. And instead she stays in the 27th District to which she was elected. So just something that we need to keep in mind going forward. We have performed that analysis and the the Section 5 analysis would reveal that she is indeed entitled to represent the 27th District that as it is labeled in this proposal. You go over into the House district maps. Again, this is a presentation of of those maps where you can see

the corresponding House districts. You have one other, the corresponding House district that would be in the 27th that would be wholly contained within Summit County. That would be District 31 districts, 34, 33 and 32 would all be within the 28th Senate district that you saw on the previous slide. District 35 would be the spill over district that would spill over into Portage County and then up into Geauga County on the statewide map.

**Sen. Rob McColley [00:49:24]** The next slide you should see is the Mahoning Valley proposed House districts. This is another area where there were changes made in the map. Those changes include, in this case the partisan breakdown of I guess if you're looking at four districts that we really want to highlight, it's districts 65, 64, 58 and 59. So 65, 64, 58 and 59. The current partisan breakdown of those are two districts that would be Republican districts on the index, two districts that would be Democrat districts on the index. That remains the same in this proposal, except one notable change is you see District 58, which is currently held by a Democrat in the Ohio House of Representatives, is now going to a very safe Democrat district that I believe has an index, a Republican index that would be below 40. So a Democrat index above 60 for that district. District 64 goes up modestly, but still is over two points below 50% on the Republican index. And that as well in in Mahoning County is the product of a bipartisan conversation that we had had.

**Sen. Rob McColley [00:50:47]** Turning to Montgomery County. The difference between the two Senate districts, one on the left, one on the right. Obviously, it appears that Senate District six on the right side is more aesthetically pleasing, while also including all of Dayton in it, per our original instruction, with the exception to parts of Dayton that are noncontiguous, there are some parts of Dayton on the northern part of Montgomery County that are noncontiguous and therefore under the Constitution would be considered separate, separate municipalities for the purpose of this analysis. That Dayton Senate District, in addition to including all of excuse me, the 6th Senate district in addition to including all of Dayton, is also a district that is under 50% on the Republican index. Just looking at the Montgomery County proposed House districts, one thing initially to point out is the red that is in District 40 juts out into Preble County. It is it is not two separate districts. That is something that has happened before in these maps. It's not a constitutional violation. That's what we we did with that district. That would be the spillover district. District 39 also would go up 40 and 39 would go to the 5th Senate District and the district that would district's that would be nested within the 6th Senate district would be District 38, District 36 and District 37.

**Sen. Rob McColley [00:52:17]** Next slide should be the Hamilton County current and proposed Senate districts. Again, we felt it was absolutely imperative to endeavor to include whole cities within House districts that could contain them and whole cities within Senate districts that could contain them. And so you look at the Hamilton County current map and you can see there's kind of from the 7th House District excuse me, the 7th Senate District and the corresponding House district that would be paired with that in Montgomery County. You can see that there's a there's a punch, if you will, that goes into downtown Cincinnati again needlessly because the population of Cincinnati can fit within an entire Senate district and three House districts. That was done, I believe, simply to achieve some sort of partisan index on the district rather than trying to keep communities whole. And so you look at the proposed Senate district and you can see the city of Cincinnati neatly fitting inside that Senate district. And then you have the 8th Senate District, which is the other wholly contained Senate district that would be within Hamilton County that then goes and wraps around to the east side, and then the 7th Senate -- 7th Senate District would then come in through the north. You can see the, and connecting to Warren County, you can see on the next page the proposed House districts. The pairings

within the Cincinnati Senate district would be districts 24, 25 and 26, and that would be Senate District 9. The pairings in Senate District 8 would be District 30, District 29 and District 27, and then the spillover district, or rather, that it's actually no spillover district here as far as the House is concerned that last House District 28 is still wholly contained within Hamilton County. It connects, however, with the spillover Senate district that would go up into Warren County.

**Sen. Rob McColley** [00:54:24] And finally, we have the Franklin County proposed House and Senate maps that you can see here. Some some changes to this that are that are worth highlighting as far as the Senate district is concerned, is that you do have a the 3rd Senate district that is now going to be southern focused in the county and then spilling out into Madison and Pickaway county. The big difference there is it was the former 16th Senate district in the northwest corner of Franklin County that spilled over into Madison and Pickaway County. What the byproduct of this is, is that the 16th Senate District and again, this was also the part of conversations that we were having with the minority party. The 16th Senate District is now a very safe Democrat district with an index that's approximately in the forties and certainly in the low forties, I believe. And so that's that's a district that is going to be changing an awful lot politically. You can look at the other two Senate districts that are in there, the 25th and the 15th and the corresponding House districts that would. Go along with that. One thing, another change as it concerns the House districts is that the 10th and the 5th House districts on the southern portion of Franklin County are both districts that have indexes that are high forties. The decision was made that in order to drive down the index of the 5th District and make it a more safe Democrat district, that district, we accomplished that. That did drive up the index of the 10th district to it now being a Republican leaning district. And that is, Mr. Chairman, the conclusion of my presentation. Happy to take questions.

**Co-Chair Auditor Keith Faber** [00:56:20] Questions. Comments. Discussion. Leader Russo.

**House Minority Leader Allison Russo** [00:56:25] Thank you, Chair, and I hope you will indulge me for a few minutes. Before we get started and I ask these questions. I'm not sure if I missed a handout because I see just printed maps that have been handed out. Do we have a list of the actual district numbers? The partisan index? Demographic data, population, population deviation, or how the districts were assigned? Do we have any of that information at all? Anyone? So we just have this printed out printouts of of maps?

**Co-Chair Auditor Keith Faber** [00:56:59] Senator McColley.

**Sen. Rob McColley** [00:57:00] Mr. Chairman, we can make that information available. The district numbers were assigned as they are constitutionally required to be assigned in this case. And the population deviations, there's nothing that exceeds the population deviation on one -- or is less than the population deviation, depending on what side of the side of 100% of the ratio that you're supposed to be on. And the indexes we will post them and make them available with with the other files as well.

**House Minority Leader Allison Russo** [00:57:30] Thank you. Sorry Mr. I'm going to have a couple of follow ups here.

**Co-Chair Auditor Keith Faber** [00:57:34] Please proceed.

**House Minority Leader Allison Russo** [00:57:34] So I appreciate that they will be provided at a later time. However, we're here considering this as a proposal that we're going to move forward with public hearings. And we as commission members, certainly myself and Leader Antonio, have not seen this yet. So I guess my question is, what is the partisan break out between the House and the Senate? What are the numbers that we're looking at in totality?

**Sen. Rob McColley** [00:58:06] So the partisan break out in the Senate and is if you're looking at absolute, plus or minus 50%.

**House Minority Leader Allison Russo** [00:58:17] By the state index? Sorry, just to make sure, by the state index, is that what you mean? you mean plus or minus 50?

**Sen. Rob McColley** [00:58:23] Of the of the the Republican index of each of the individual districts.

**House Minority Leader Allison Russo** [00:58:28] Okay. Thank you.

**Sen. Rob McColley** [00:58:30] Yeah. Is if you're looking at plus or minus 50%, there would be 23 districts that would be Republican, 10 that would be Democrat. It should be noted there are other districts that are on the Republican side that are very close to 50, that are districts that could very well be picked up by either side in this map. And on the House side, the breakdown is 62 Republican districts, 37 Senate districts, again, with a decent amount of grouping around the 50% mark.

**House Minority Leader Allison Russo** [00:59:09] Thank you. Follow up, please, Chair. Within that, do you have the breakout of those that are I believe, the threshold that we used previously for toss ups was plus or minus two from 50. So within, so you say you have 23 Republican seats, 10 Democratic seats on the Senate side. How many of those are within the toss up range plus or minus to 50?

**Sen. Rob McColley** [00:59:40] Yeah. Mr. Chairman, the my understanding is on the Senate side, three Republican districts are within that toss up territory. Two Senate districts are -- or two Democrat-leaning districts would be in that toss up territory. On the House side it would be three Republican-leaning districts and eight Democrat-leaning districts.

**House Minority Leader Allison Russo** [01:00:13] Okay, so eight toss ups out of the 37. So essentially, this map has 29, quote unquote, Democratic seats. Eight toss ups, 40, or sorry, 59 quote unquote, Republican seats and three toss ups. Thank you. And a follow up again.

**Co-Chair Auditor Keith Faber** [01:00:37] Leader Russo.

**House Minority Leader Allison Russo** [01:00:38] Again, that as a reminder of where we are, we're under a court order, the Ohio Supreme Court has clearly directed us to meet Article 6, Section 6 - or sorry - Article 11, Section 6, unless doing so would cause violations of technical requirements. Given that your map and by the way, Section 6 is about not favoring one party over the other and addresses the proportionality issue, given that, you know, clearly when I look at this, even if we include the toss up seats in the House map - 62 Republican, 37 Democrats does not meet the proportionality requirement under Section 6. Can you tell me what prevented you from drawing districts that would be

compliant with those proportionate, with proportionality? And I would note and I respect that you went to great lengths to describe how you tried to keep cities whole within Senate districts. I will remind this commission that is not actually a constitutional technical requirement. There are requirements about reducing splits. They do not address whole city splits unless they fall under certain House districts sizes. They primarily, the splits are related to county splits, township splits, and then some of the smaller cities that fall within a House district. So can you tell me again what technical requirements prevented you from meeting Section 6 of the Constitution?

**Sen. Rob McColley** [01:02:13] Thank you. To to the to the chairman. I would disagree. I guess in my understanding of the Constitution, there's a there's a general requirement to minimize city splits. And I understand that there are some cities that can, you can only have one city split that's shared between districts. You can only have one split jurisdiction in your districts. But in many cases, or at least it appears in some cases, that's been interpreted as an opportunity and an invitation to then go into the largest cities with as many House districts and Senate districts as one possibly can, in an effort to achieve some form of partisan, partisan performance of the entire map. I mean, my reading of the Constitution, looking at the language that was included that that talks about minimizing those splits, the importance is that that is not only under the rules of constitutional and statutory interpretation, but also in the interpretation, I believe, of many people up on this commission. That is something that should be viewed as a superior requirement than those requirements that are in Section 6.

**House Minority Leader Allison Russo** [01:03:32] Follow up Mr. Chair, to be clear, you know, it doesn't matter what our individual interpretations are of the Constitution on this commission. We have court orders and court decisions and the Constitution itself that lay out what the technical requirements are. I did want to go to and I, you know, appreciate, frankly, that you tried not to double bunk members, although I will say that in at least the printout of the map that we have here for House districts, it does appear that there is double bunking of two members of the Democratic caucus, House Democratic caucus, between district and district. I think this is eight I can't even see the numbers on here.

**Sen. Rob McColley** [01:04:13] Can I ask what map you're on?

**House Minority Leader Allison Russo** [01:04:15] What map?

**Co-Chair Auditor Keith Faber** [01:04:16] Which which area?

**House Minority Leader Allison Russo** [01:04:17] Franklin County House map. Districts 8 appears to have two members in it, although again, without seeing the files, difficult. But just looking at the map, it appears that two members are in that seat. My other question is, you know, the Constitution does have requirements about trying to achieve compactness. And, you know, as I look through some of these districts, we've got some interesting changes from the current map to new districts that create some really interesting districts here. I'm just looking at the Hamilton County Senate District 8 that appears to go all the way clear across the county. For example, I think Toledo, we've got a Senate district and a couple of House districts that tend to snake along rivers and go clear across the county. I'm looking at Lucas County, House District 41, for example, goes from one side of the county to the other, presumably pick up parts of Oregon and city, parts of city of Toledo, in some other areas. And I guess, you know, I would just ask, what were your considerations for compactness when developing this map?

**Sen. Rob McColley** [01:05:44] Thank you, Mr. Chairman. We stand by the compactness of this map. We're confident that it's not going to be something that's going to result in this map being overturned for that reason or any other reason for that matter. You know, I, I guess I would you know, looking at the examples that you highlighted, sometimes geography makes it a little bit challenging to draw some of these areas, sometimes with the goals that we've stated in mind. But, you know, I would caution. To a certain extent, you know, looking at individual examples and saying this is this is a this is a reason that this map is not compact. I mean, I could I could talk about the proposal that was proposed by the minority party that takes the Senate district from Circleville to Steubenville.

**House Minority Leader Allison Russo** [01:06:38] Sure. I'd love that discussion.

**Sen. Rob McColley** [01:06:40] And so you know, we can we can all highlight examples out of 99 Senate districts and 33 House districts of districts that one might argue one way or the other whether they could or could not be more compact. But I'm confident that this map as a whole has compact districts and that we would be successful.

**House Minority Leader Allison Russo** [01:07:00] I'm sorry. One more quick follow up related to compactness. Are, is the senator, are you able to provide and the information that you provide to us when we get the actual statistics for these districts any measure of compactness, compactness for this so that we can compare it to the current map?

**Co-Chair Auditor Keith Faber** [01:07:19] And assume you're going -- to the Leader Russo. Senator McColley, I assume you guys are just going to produce the Maptitude file so they can.

**Sen. Rob McColley** [01:07:27] Yes. So to the chairman, they're the block assignment files and everything will be available. And so this map will be free for any member of the commission or the public who has the ability to perform their own analysis.

**Co-Chair Auditor Keith Faber** [01:07:42] Okay. Now, other questions. Sorry, Senator Russo. I'm sorry, Representative Russo. Leader Russo did not mean to cut you off.

**House Minority Leader Allison Russo** [01:07:49] Yes, I'm okay. Yeah.

**Co-Chair Auditor Keith Faber** [01:07:52] Co-chair Antonio.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:07:53] Thank you.

**Sen. Rob McColley** [01:07:54] If I. If I could, Mr. Chair, I want to answer the question that was asked earlier? I believe the the 8th House District, the implication was that, um, Representative Liston and Representative Dr. Somani are in the same district. They are not, is what I'm being told.

**House Minority Leader Allison Russo** [01:08:12] I thank you for clarifying. We'll look at the Maptitude and verify that.

**Sen. Rob McColley** [01:08:18] Thank you.

**Co-Chair Auditor Keith Faber** [01:08:19] Okay. Sorry.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:08:21] That's okay.

**Co-Chair Auditor Keith Faber** [01:08:21] Leader Antonio.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:08:22] Thank you. So. So. To the Senator. To the chair. To the senator. So, Lucas County, if I'm. If I'm seeing. If I'm believing what my eyes are seeing, it looks like there is a part of this county that is connected, that jumps a river. Connected by what? I'm. I'm not quite. District 41, District 44. Can you can you explain a little bit about what's going on there.

**Sen. Rob McColley** [01:09:00] To the to the chair? Can you repeat your question? I'm not sure I understand.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:09:04] Well, it looks like Lucas County is connected to Wood County by by just by a river that their only connection is a river.

**Sen. Rob McColley** [01:09:12] Well, to the chair. To the representative. Yes. The Maumee River divides Lucas and Wood County through most of the shared border of both counties.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:09:23] So it's not going to sit. So it's so it's contiguous by water then, not by land.

**Sen. Rob McColley** [01:09:29] Yes. Well, yeah, in most areas other than where you go to the eastern part of Lucas County, where District 41 has its eastern sections that would be connected by land to Wood and Ottawa counties.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:09:44] Well, and I would just propose that. I just say that in at first blush it looks like this would be an area where we would definitely want to have some discussion around if it's possible to create a district that's not just connected by water, but actually by land. And to me, those are some of the questions going forward that that we'll have to ask. Should this map be the one that is adopted as a as a as a process point, I guess.

**Sen. Rob McColley** [01:10:20] The chair, to the representative or excuse me, to the to the minority leader. It would be impossible to draw a House district with enough population on the east side of the river in Lucas County without spilling over outside of Lucas County, which would make it impossible to have a Senate district that has all of Toledo in it.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:10:47] Okay. So so to the to the chair, to the to the senator, again, I think there it appears that there are other ways to do it, just like there's other ways to do a lot of this, a lot of this map making. So certainly that could be an area for further discussion because there are certainly communities down below that could that could be considered being included. I, I also wanted to ask a number of times you've said there were bipartisan discussions. And I just want to be clear, we have had some discussions. Certainly there have been bipartisan discussions. Certainly with me in the Senate on concepts, on areas. But as far as seeing this map in its totality, this is the first time we're seeing this, I'm seeing this, and actually the consideration of some of these groupings and pairings, which, by the way, do we have pairings that are connected? I know we have House maps. We have Senate maps. So is there also going to be the description of the pairings?



**Sen. Rob McColley** [01:12:16] That to the chairman, the House district parent, or pairings, that go with each Senate district? Yes. Yeah, we can generate that pretty quickly. My my point, if I could clarify, is I'm not trying to imply that you've agreed to this map.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:12:30] Oh, good.

**Sen. Rob McColley** [01:12:30] And I could I don't want there to be that implication, obviously. But if you look at the the district boundaries of your 11th Senate district in our 11 seven Senate district, they're exactly the same. And if you look at Summit County, the point I was making is that we had had conversations and agreed that we'd like to see a district that includes all of Akron in it as far as the Senate district is concerned. Your conversations and mine has primarily been around Senate district boundaries. It's worth clarifying that. I'm happy to do that. But, you know, I just want to make it clear that those topics have been discussed.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:13:10] And to the chair, Thank you. Thank you to the senator. To the chair, I have something else. Co-Chair. So so the other thing and I think Leader Russo brought up that there's no rule specific that says no breaking up of cities. And in fact, you know, I asked the the folks behind me if we had a definition of packing. There's a concern always, especially for those of us from very densely populated areas, that, you know, it's very easy to pack a whole lot of people into one area and designate that as a Democratic district and then and then move on in life to pair together everything else. So by saying not dividing cities as as a as a general guideline is fine. My concern and so, again, as we dig into the numbers of of these drawn districts, one of the things that is of concern to me is certainly contiguous communities and communities of some commonality, but also a concern around having especially urban areas packed very tightly. Densely populated areas. It can, as as the senator pointed out, sometimes it can be seen as a way to break up and identify many districts. It can also be used the opposite way by packing everyone into one community, one district. And then we're at a loss for a number of representatives in another area. So I'm very concerned and but we'll obviously look at what those numbers reflect in terms of are those districts packed or not?

**Sen. Rob McColley** [01:15:14] To the chair, to the to the minority leader. Again, our our focus was keeping cities whole. And to the extent that there would be a challenge that somehow we're packing people together by keeping Cincinnati in a whole Senate district, keeping Akron wholly contained in a Senate district, keeping Toledo wholly contained within a Senate district, and having as few splits as we can or fewer splits of many of the larger cities. I don't see how I don't see how a legal analysis can conclude that by keeping those cities whole that somehow we're packing whatever someone's definition of packing is.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:16:00] Thank you. Thank you chair, co-chair.

**Co-Chair Auditor Keith Faber** [01:16:03] Other questions. Senator McColley, it's it's your understanding if this were adopted, that we would have a process to continue to discuss and look at the maps and the details, correct?

**Sen. Rob McColley** [01:16:18] Yes, I would be hopeful we would do so.

**Co-Chair Auditor Keith Faber** [01:16:21] I also want to raise just one issue for the commission to consider. I don't know that we need to take a vote on it or that we need to have any big discussion on it. But there's been a lot of discussion as to what the right proportionality is or whether proportionality applies and how it applies. I think it's a fair discussion, but my understanding of the constitutional provision is, as you look at the last ten years of election cycles, and that means the proportionality has changed substantially in the last two years over the prior two years. And so I think we need to keep that in mind when we look at the proportionality requirements, if those are to be considered and how those are to be considered.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:16:54] Oh.

**Co-Chair Auditor Keith Faber** [01:16:55] So I just think that's an area for us to continue to have discussion on.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:17:01] Mr. Co-Chair.

**Co-Chair Auditor Keith Faber** [01:17:03] Yes.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:17:03] So are you suggesting just to clear, you know, to get a point of clarification that. Are you suggesting -- that's actually a good question. As far as what data was used to come up with with these drawings right now, are you suggesting more current or are we...?

**Co-Chair Auditor Keith Faber** [01:17:29] Well, I, I think there are two different issues at play. One is, is what do you use for the political indexes?

**Co-Chair Senate Minority Leader Nickie Antonio** [01:17:35] Mm hmm.

**Co-Chair Auditor Keith Faber** [01:17:36] And it's real tough to look at current political index data because my guess is there isn't any good current political index data that's available, universally accepted, although I will be open to that as we go through it. The different question is, is what data do you use to consider what the ratio you're trying to target with the existing districts are? For example, before the discussion that the Supreme Court noted was 54 Republican seats. If you run those numbers now, it's darn near 59, 58. There's been a discussion in the proposal that that's being floated by Chief Justice, former Chief Justice O'Connor, that you need to consider a political deviation or plus or minus three. We heard testimony last time in front of this committee, a plus or minus 5 to 3 based on political geography. So if that's the case, and you're looking at some magical mystery ratio, as I have lovingly called it in the past, you could be at a number upwards of 61, 63 on the House side, 21, 24 on the Senate side depending on how you calculate and what you include or don't include on calculating those ratios. But the question is, is are you going to look at the last two years of election cycles when you compare the numbers? And I think you have to. But that's my position when we have this discussion going forward.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:18:51] Mr. Chair?

**Co-Chair Auditor Keith Faber** [01:18:52] Yes.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:18:54] Okay. At some point, that is critical information in terms of in terms of how we are making those considerations.

Absolutely. Because there's a big difference, obviously, between 58 and 54% and some of the other ratios you just described with a plus or minus 5 either way. So that.

**Co-Chair Auditor Keith Faber** [01:19:23] We also went - Thank you. I'm sorry.

**Co-Chair Auditor Keith Faber** [01:19:25] I was just going to say that consideration, I mean, has to be consistent and to be able to to be able to have it fit within a framework that we're trying to again, back to a fair distribution of proportionality. So I think it's critical that we know what we're talking about with those with those ratios.

**Co-Chair Auditor Keith Faber** [01:19:55] Senator McColley.

**Sen. Rob McColley** [01:19:56] Thank you, Mr. Chair. I think it's important to note that every reference to statewide voter preferences includes the language during the last ten years. It doesn't include as of the decennial census, it doesn't include as of the first iteration. Obviously, this amendment contemplates in several occasions that there would be multiple commissions that could draw maps within a decade. And it still shows it still explicitly states during the last ten years. And so in that respect, I would argue that it is unambiguously clear that it is the last ten years and not a ten year look back from before the 2022 election.

**House Minority Leader Allison Russo** [01:20:48] If I may, Mr. Chair. Can I jump in here?

**Co-Chair Auditor Keith Faber** [01:20:51] Sure.

**House Minority Leader Allison Russo** [01:20:51] Let's let's be super clear here about that. This commission in the past agreed on the ten year look back based on the data available, to my knowledge, no one on this commission, because I've asked this question multiple times in meetings, has knows that 2022 election data has been processed to the point that we as a commission could even consider it and use it in calculating our state index scores for these districts. Second point, even if we were looking at that, the statewide election results, if it includes 2022 data and the ten year look back, the split would be 56 Republican, 43 Democrat. When I look at this map as introduced as you told me, there are 23 Republican Senate seats and 10 Democratic seats. That is not a 43/56, a 56/43 split. The House seat split is 62 Republican seats and 37 Democratic seats. Again, assuming we're using a 50 plus, not actual, as the court decisions have said in the past, those toss up seats should not be included in that ratio. Again, 62 Republican seats, 37 Democratic seats is not a ten year, even if we include 2022 data, a 56/43 that breakdown. This map there should be no illusions that this map as presented, and I hesitate to even call it a plan, because the Constitution also requires in Section 5 that we actually have data that designates where these senators have been assigned, and we have none of that information in front of us. I'm not sure how we can even consider this a plan today, because we don't have any of that as the Constitution requires. But let's be clear, this does not, by any stretch of the imagination, meet the proportionality requirements in Section 6, and you're throwing out that it doesn't because you tried to achieve a technical requirement of keeping cities whole within Senate districts. That is not a constitutional technical requirement. So we can argue about what the ten year lookback is. But if you're going to include 2022 data, it is 56/43. This map does not achieve that.

**Co-Chair Auditor Keith Faber** [01:23:18] All right. Any other discussion? Do I have a motion? We have a motion that's been seconded.

**House Minority Leader Allison Russo** [01:23:24] Objection.

**Co-Chair Auditor Keith Faber** [01:23:25] What is the will of the commission with regard to the motion and the second.

**House Minority Leader Allison Russo** [01:23:32] Objection.

**Co-Chair Auditor Keith Faber** [01:23:32] Objection to calling the question or objection to?

**House Minority Leader Allison Russo** [01:23:35] Sorry. I'm sorry. I keep getting confused when you do that. Go ahead. I'm not objecting to you calling the roll.

**Co-Chair Auditor Keith Faber** [01:23:42] Thank you. Just trying to operate by consensus here, Leader Russo.

**House Minority Leader Allison Russo** [01:23:45] Withdrawing that objection.

**Co-Chair Auditor Keith Faber** [01:23:46] as we as we spoke about. All right. Without objection, clerk will call the roll.

**Tom Hancock, Clerk** [01:23:52] Co-Chair. Faber.

**Co-Chair Auditor Keith Faber** [01:23:54] Yes.

**Tom Hancock, Clerk** [01:23:55] Co-Chair Antonio.

**Co-Chair Senate Minority Leader Nickie Antonio** [01:23:57] No.

**Tom Hancock, Clerk** [01:23:59] Secretary LaRose.

**Secretary of State Frank LaRose** [01:24:00] Yes.

**Tom Hancock, Clerk** [01:24:02] Representative LaRe.

**Rep. Jeff LaRe** [01:24:04] Yes.

**Tom Hancock, Clerk** [01:24:06] Senator McColley.

**Sen. Rob McColley** [01:24:07] Yes.

**Tom Hancock, Clerk** [01:24:08] Leader Russo.

**House Minority Leader Allison Russo** [01:24:09] No.

**Tom Hancock, Clerk** [01:24:11] Governor DeWine.

**Tom Hancock, Clerk** [01:24:14] Having four votes in favor, two votes against and one abstaining. The map is adopted as the working draft. Senator McColley, I presume that we will have the files and the other data up very shortly on Maptitude and Dave's Redistricting.

**Sen. Rob McColley** [01:24:37] Well, I think the plan is to put the block assignment files, which can, online and the maps the actual PDF files of the maps online. People can -

there's a function, I believe, of Dave's that you can import a block assignment file and it will generate the map on Dave's.

**Co-Chair Auditor Keith Faber** [01:24:58] I just want to make sure the public is going to have access to it. Yeah, it sounds like the intent is for that to be up on our website, which the LSC is still maintaining.

**Sen. Rob McColley** [01:25:07] Yes.

**Co-Chair Auditor Keith Faber** [01:25:08] Okay. Not the Auditor's website, the Redistricting Commission's website. They're maintaining that. All right. Anything else today before the commission?

**Co-Chair Senate Minority Leader Nickie Antonio** [01:25:19] Move to adjourn.

**Co-Chair Auditor Keith Faber** [01:25:21] I have a motion to adjourn. Is there a second?

**Secretary of State Frank LaRose** [01:25:24] Second, third

**Co-Chair Auditor Keith Faber** [01:25:26] Okay. We have a motion to adjourn. It's been seconded. Do I need to call the roll or can we do this by acclamation?

**Co-Chair Senate Minority Leader Nickie Antonio** [01:25:33] Acclamation.

[01:25:33] Hearing no objection. Let the record reflecting was unanimous. We are adjourned. Thank you.