REP. SZOKA: Good morning. I'm Representative John Szoka calling the meeting to order. I'd just like to recognize our Sergeant at Arms for today. We have Reggie Sills, Marvin Lee, David Leighton, Thomas Terry and Joe Crook. And that's going to pretty much be the extent of what I have to say here. The Chairmen are still getting some materials prepared, and they have asked me to put the Committee into recess until 9:45. So we stand in recess until 9:45. Thank you.

(Recess, 9:31 - 9:45 a.m.)

REP. DOLLAR: Committee will come back to order. Members will take their seats. Any extraneous conversations will be taken outside of the Committee room at this time.

The proposed Committee substitute for House Bill 927 is properly before the Committee for discussion without objection. So ordered. The -- at this time, I would also remind members that since we did have a short delay in starting, that we will -- all amendments -- all amendments will need to be in to the Chairs at no later than 10:45. So all amendments -- we had said 10:30, I believe, in the communication last night. We will extend that to 10:45 since we were slightly delayed.
I do want to say prior to recognizing Chairman Lewis for the presentation of the proposed Committee substitute, just a couple of very quick comments from myself. And I believe Chairman Lewis may have some additional comments. I do want to say after -- particularly after some of the comments that I've read and -- and reports and editorials, and some of the things that have been said in public, that the two Chairs -- the two joint Chairs are very honorable people. Some of the things said about them, I felt, were personal and -- and factually incorrect in terms of their character, in terms of their approach to this process, which I believe has been honorable and above board. No court has found otherwise in all of this process. In fact, the courts have found just to the opposite of -- of that.

I would also make just a quick personal note in terms of Dr. Hofeller. Dr. Hofeller is the same as any other central staff member or any consultant that either side might employ to assist them in the technical matters of drawing a map. And maps are part of the legislative process and, I believe, that when staff members or consultants are -- are maligned in terms of their intent and
the like with -- with clearly no evidence, that is improper. It's incorrect and -- and it's quite unfortunate and -- and I don't believe that that's where our best politics lie. We should debate the issues and not debate the personalities of particular individuals. Particularly when those folks do not know and are clearly not apprised of what their actual roles are in this very important constitutional process.

With that said, at this time I will recognize Chairman Lewis to present the -- to the Committee the proposed Committee substitute. I will also announce that following Chairman Lewis' presentation and any discussion, we will take a recess. That recess will run until we're -- we have the amendments and then we'll -- we will -- we'll come back and deal with -- with any amendments at that time. Representative Torbett, do you have a question?

REP. TORBETT: Just as a courteous reminder that members should state their name and their district when they make any comments for today.

REP. DOLLAR: Thank you, Representative Torbett. Your point is well taken. These
proceedings are the subject of Court record, or a
record that could be potentially before the Court. We have a court reporter. And so if all members --
thank you for the gentleman's reminder. If all
members would please state your name when you are
asking your question or making a comment. So with
that, Chairman Lewis is recognized.

REP. LEWIS: Thank you, Mr. Chairman. I'm David Lewis, the senior Chair of the House Select Committee on Redistricting. I represent Harnett County. I want to welcome all the members and guests that are here today. Before I begin with presenting the 2017 House Redistricting Plan A, I want to go over some facts with this Committee.

After being ordered to do so by the Court, I, on behalf of the -- with authority designated by the speaker, produced a map within 14 business days -- 19 total calendar days. We had sought and proposed to the Court a longer period of time which would allow for more public input and, hopefully, more participation in this process. The Court -- I say this with the utmost respect -- chose, instead, to give us a deadline of September the 1st. In no way is that -- is this being
critical of the Court. This is stating for the record that the plan that I proposed publicly, which would have included a series of three statewide public hearing sessions, simply could not be met under the time frame that we were asked to act under by the Court.

I would like to also echo some of Chairman Dollar's comments. I will continue in every way I can to make this discourse as positive as it can be. I do think that there have been some erroneously-stated information regarding why we are here today. We are here today, based on my understanding of the Covington Court finding, that without substantial evidence -- without sufficient evidence, I should say, that race was a predominant factor in drawing 19 House seats. We were ordered to recreate the map in areas affected by those 19 seats by September the 1st. At no time did the Court reference that anyone was packed into any district. At no time did the Court reference that there was any bad intent on the part of this legislature in the 2011 process.

Today I sincerely hope that this Committee, through free and open debate, will be able to set an example of how positive political
discourse and disagreement can and should be dealt with in this country and in our state. Mr. Chairman, with that, I'll move into a presentation on the proposed Committee substitute.

First of all, I'd like to talk about the criteria that was used in the production of this map. The Committee -- this Committee adopted the criteria of equal population. The equal population means that one person, one vote. People's votes should count equally as much as they can. And by that, I mean the Court did give us a window to work in of plus or minus five percent. So the ideal population for a House district, as was stated in the earlier Committee meeting, is 79,462 people. You are allowed to go plus or minus that percentage by no more than five percent. So equal population was the first criteria adopted by this Committee. It was the criteria that was used in preparing this map.

We've discussed further, in regards to equal population, that a -- a margin of plus or minus five percent is arranged and -- or is allowed for under the law. I would point out, in disclosure, that the largest House Districts, or those with the most people, are House Districts 10,
21, 22 and 51. Those are 300 -- or excuse me, 3,972 people over the ideal county -- over the ideal district size.

I would state again that, as explained to this Committee, there is a mandatory county grouping optimization formula that's required under the Stephenson decision. The smallest House District in the plan is actually House District 109. It is 3,945 people below the ideal population, but I would point out that that was an unchanged House seat.

I'll -- I'll pause for just a moment to say, as we discussed in this Committee in an earlier presentation, the -- there were -- there were areas of the state in which the county groupings did not have to be changed to comply with this Court order. We did not change those county groupings. If you all recall, there was a map distributed to you the first time we met jointly with the Senate that showed areas. I believe those areas were in green, to refresh your memory. Those areas were not changed or touched by this map. This is simply a visual illustration of some of the districts. Again, House District 109 is unchanged in this plan, but it is the plan so I wanted to
Contiguity; Legislative Districts shall be comprised of continuous territory. This simply means, in my understanding, that you can't start a district here, run another district here and continue it somewhere else. They need to be contiguous. Contiguity by water is sufficient.

This is an over -- this is a picture of the plan. There are areas primarily, and almost exclusively, in the eastern part of our state where great bodies of water are encompassed or surrounded by our counties. The barrier islands of our state, one of the greatest treasures that we have, create situations in which counties include these tremendous bodies of water.

This Committee further adopted that we would comply, as we're required to, by the county grouping and traversal rule. It means that the county -- that the Committee would draw legislative districts within county -- within county groupings as required by Stephenson versus Bartlett and in other court cases. And within the county groupings, counties like -- county lines should not be traversed into except as authorized by the Courts in Stephenson and the subsequent cases.
I put this back up only as a reminder. This was presented in greater detail to the Committee. You will notice that the purple color is a county in which, if you take the ideal population of 79,462 and divide it into the 2010 decennial -- the 2010 decennial census numbers, you are able to draw a whole number of seats. In certain examples, for instance in Lincoln County which was not -- not a changed county, their population is 80,000 people. That's within the plus or minus five percent; Lincoln County gets one seat. The counties that are one, that are kept whole in this, are illustrated in purple.

We were then required to go through and group counties in the smallest possible number of county groups. We were -- we had to optimize the number of two-county groups, shown in red on this map and also bordered by the darker black lines, illustrate what the two-county groups are. In the canary yellow color, shows the three-county groups. That means when we were -- when we could combine no more two-county groups, we then sought to combine three-county groups. The canary -- the canary yellow shows the three-county groups. The brighter yellow shows the four-county groups. When we could
no longer combine three counties and make whole House seats, we had to combine four counties. The lime green color shows a five-county group. The darker green or Kelly green color shows a six-county group, and the blue color is a seven-county grouping.

I think we've spent pretty good time talking about this, but I did want to state it again for the record and so it could be more fully understood by the Committee. I would point out that I do believe the Committee's criteria on county groupings and traversals was, in fact, met. I would point out, for reference, that the number of split counties in the 2001 House plan was 60, in the 2009 plan it was 46, in the 2011 plan, known as Lewis-Dollar-Dockham, were 49 split counties. In the 2017 House Plan A that you have before you, there are 40.

Compactness; the Committees shall make reasonable effort to draw legislative districts in the 2017 House and Senate plan that improve the compactness of -- of the current districts. In doing so the Committee may use, as a guide, the Reock dispersion and the Polsby-Popper scores as identified by the people that invented that
particular score -- those particular scores. I would point out that the map that I present to you today complies with that criteria. The criteria minimum for Reock is 0.15. The minimum compactness found in this plan for Reock is 0.2. The maximum is 0.7. The mean is 0.41 and the standard deviation is 0.09. I say all that to say that we were able to comply with this Committee's criteria in regard to the Reock score.

In regard to the Polsby-Popper score, the minimum criteria is 0.05 -- excuse me, yes, the criteria minimum is 0.05, the minimum district on this plan is at 0.2. The maximum is at 0.71. The mean is 0.31 and the standard deviation is 0.11. I say all that to say again, that based on the compactness criteria defined in the Polsby-Popper test, this map is compact. I'll be happy to go into greater detail on compactness. I will simply say that based on the -- and I will submit this for the record -- based on a comparison of reports with prior enacted plans, this is a compact plan.

One of the Committee's goals was to have fewer split precincts. The total number of split precincts, or split VTD's in this plan, as drawn, is 19. It's important -- it's important to point
out that there are 49 total splits, but those additional splits, between 19 and 49, occur in areas of the plan that were not impacted by the regrouping -- the new county optimization formula. What that means is, what we drew splits only 19 precincts. If you compare that with the 2011 plan, the Lewis-Dollar-Dockham 4 plan, there were 395 split precincts. The 2009 House plan split 285. 2001 House plan, as best we can tell, split 103. I would point out for the record, in total transparency, one of the -- there is one additional split VTD in Cumberland County. It -- it's a -- it's on the base, the Army base, there are no people that live there, it makes the map look more -- more compact.

We wanted to respect municipal -- municipal boundaries. The Committee adopted the criteria of municipal boundaries. We said that we may consider municipal boundaries when drawing legislative districts in 2017 House and Senate plan. Again, I think this plan meets that goal. The 2009 House plan split 123 municipalities. The 2011 house plan, Lewis-Dollar-Dockham split 144. This plan splits 78.

An additional criteria that was adopted
by this Committee is incumbency protection. It reads, "reasonable efforts and political considerations may be used to avoid pairing -- to avoid pairing incumbent members of the House or Senate with another incumbent in legislative districts drawn in the 2017 House and Senate plans. The Committee may make reasonable efforts to ensure voters have a reasonable opportunity to elect non-paired incumbents of either party to a district in the 2017 House and Senate plans." Again, this plan meets that criteria.

The 2017 House Plan A pairs eight representatives. Six of those are paired together by the county grouping formula. There is one pair of Republican legislators that are grouped and there are two opposite party pairings. Again, these were caused by the county grouping formula. I will state, for the record, that we absolutely sought to avoid pairing incumbents in the -- in the preparing of this map. The only discretionary double-bunking in this plan is of two Republican representatives. This was necessary to create districts that are reasonably compact and to avoid opposite party double-bunking.

Election data; political consideration.
Election results data may be used in the drawing of the legislative districts in the 2017 House and Senate plans. As I stated for the record, the last time this Committee met, the following 10 races were used as a guide in meeting this criteria of the map. They are 2010 US Senate, 2012 President, 2012 Governor, 2012 Lieutenant Governor, 2014 United States Senate, 2016 President, 2016 United States Senate, 2016 Governor, 2016 Lieutenant Governor, 2016 Attorney General.

A criteria that was adopted by this Committee involved no consideration of racial data. Again, as I said in my opening remarks, the consideration of race, the Court made clear that we had not created a substantial enough record to justify race as the factor or as a criteria in drawing the districts, and therefore, it was not used.

Mr. Chairman, if I may? A couple of the members had asked the difference between the original House map that was released and the amended House map that was released. I'd like to, with your permission, just get that on the record as well and --

REP. DOLLAR: The gentleman's recognized
REP. LEWIS: Thank you. Members, the changes that were made in the map that was released on Friday and the map that was subsequently released yesterday, were in the following county groupings. There were -- in the county grouping that includes Surry, Alleghany and Wilkes, there were changes that were made. These changes were made -- it's simply moving precincts. These were at the requests of members who currently serve in those areas. There were also changes made in the county grouping that runs from Richmond to Davie. This was at the request of one of the members who currently represents that area.

There were changes made in the county grouping that stretches from Bladen up through Greene. This was at the request of members who serve in that area. We also, members, made several changes at the request of members whose -- who are currently serving whose districts were inadvertently mis-numbered in the new map. Requests were received from members in Mecklenburg County and in Forsyth County. We granted every request for a number change because those were inadvertent mistakes on my part when the map was
first released. We did grant every one of those requests.

REP. DOLLAR: Chairman Lewis, you may have said this and I just didn't hear it, but there -- there was one other set of changes in -- in Johnston County --

REP. LEWIS: Yeah.

REP. DOLLAR: -- within Johnston County at -- at -- as I recall, at the -- the requests of those legislators.

REP. LEWIS: Yes, sir. Thank you, Mr. Chairman. I attempted to reference that when I said that there were some changes in the grouping that runs from Bladen to Greene, but yes. There were -- the requests were specifically in Johnston. Thank -- thank you for that clarification.

With that, Mr. Chairman, I've concluded the formal part of my presentation. I'll be glad to try and answer questions or whatever's the will of the Committee at this point.

REP. DOLLAR: Questions from members of the Committee? And again, be sure when you're recognized to state your name. Questions from members of the Committee? Representative Pierce?

REP. PIERCE: Thank you, Mr. Chairman.
State representative Garland Pierce.

Representative Lewis, do you have a map of the -- the change that you made yet? The ones that you just talked about?

REP. LEWIS: Thank you for the question, Representative Pierce. The map that you have before you, this is the new map.

REP. DOLLAR: Gentleman's recognized.

REP. LEWIS: I think Representative Michaux has a question.

REP. DOLLAR: I apologize. I was -- Chair was distracted for a moment. So, Representative Pierce, you got your question answered? All right. In that -- Representative Michaux is recognized.

REP. MICHAUX: Representative Michaux, Durham County. Yesterday, I think, you were presented a map and some changes to -- that were -- that were given you by the Plaintiffs in this matter.

REP. LEWIS: Yeah.

REP. MICHAUX: Were those matters considered in -- were redrawing, redistricting plan A?

REP. LEWIS: Thank you for that question,
Representative Michaux. I believe you're referring to the Covington Plaintiff’s map, and I want to state, first of all, that I appreciate the submission of that map. I believe it came in at 2:05 on Tuesday and I can assure you that I did consider the map very thoroughly. We evaluated the ideas that they had. There were many areas of the state where the Covington map was similar to what was drawn by this Committee. There were areas of the state where we don’t feel the Covington map met the criteria, but the short answer is yes. I reviewed it very -- very thoroughly and appreciate its submission.

REP. DOLLAR: Gentleman’s recognized.

REP. MICHAUX: I -- I guess --

Representative Michaux again. I guess my question, did you incorporate any of the suggestions made by the Plaintiff’s counsel in this -- in -- in these -- in the new maps that you drew?

REP. LEWIS: No, sir. Not to my knowledge.

REP. MICHAUX: Follow-up.

REP. DOLLAR: Gentleman’s recognized.

REP. MICHAUX: You indicated that based on the criteria that this Committee passed on a
divided vote, that race was not used in making a
determination. On the decision handed down by the
three-panel court and by the United States Supreme
Court, indicated that racial gerrymandering had
occurred, which was unconstitutional. Can you tell
me whether or not the matter of racial
gerrymandering has been corrected by the maps that
you -- the map that you have now drawn? And can
you give me the statistics that show that that
matter has been corrected?

REP. LEWIS: Thank you for the question.
It's my understanding that the Covington Court
ruled that this Committee had not -- or the
Committee in 2011 had not established a sufficient
record to justify the use of race in drawing
legislative districts, therefore race was not a
criterion that was used. There was no racial data
reviewed in the preparation of this map, and I can
provide you only the statistics that we have
already provided which were used in drawing this
map.

REP. MCHAUX: Further follow up,
Representative Mchaux again.

REP. DOLLAR: Gentleman's recognized.

REP. MCHAUX: So you cannot give me any
statistic, any racial statistics, on the maps that you now have before this body for us to approve; is that correct?

REP. LEWIS: As race was not a criteria, that is absolutely correct. I would point out, I think, to the gentleman's larger question, though, it's my understanding that the Court said that without sufficient evidence, the General Assembly had drawn maps where race was the predominant factor. I'm aware of no additional data, that has been submitted to this Committee or to me for review, that would indicate that anybody else has developed a more -- that anyone has submitted any additional evidence that race should be considered. Therefore, it was not considered in the drawing of this map. And I do believe that by not considering race, that does correct the deficiency found by the Court.

REP. DOLLAR: Representative Jackson is recognized.

REP. JACKSON: Thank you, Mr. Chairman. On Page 151 of the Covington opinion, it lays out the testimony that was received by the defendants about racially polarized voting and the history and locations of VRA districts by prior general
assemblies. And then it goes on to say this should be considered during legislative redistricting. And I would ask, was that considered?

REP. LEWIS: Mr. Chairman, would the gentleman mind if I looked at -- if I got the material he was referencing from staff?

REP. JACKSON: It's on Page 151, starting with the second and third paragraph.

REP. LEWIS: Representative Jackson, apparently my staff tried to use Westlaw so our pages aren't lining up, but I can tell you that race was not used in the drawing of this map which I think is the -- the answer that you were trying to ask. I apologize for not having the exact case in front of me.

REP. JACKSON: Mr. Chairman, follow-up?

REP. DOLLAR: Gentleman is recognized for a follow-up.

REP. JACKSON: Okay. And on page 164 of the Court's conclusion it reads "Section 2 of the Voting Rights Act continues to play an important role in redistricting. And legislators must undertake a district-specific analysis to identify and cure potential Section 2 violations." So I would ask, did the map drawers undertake a
district-specific analysis to identify and cure potential Section 2 violations?

REP. LEWIS: Thank you for the question, Representative Jackson. The Committee had no additional information than what's provided in 2011, which the Covington Court said was inadequate.

REP. DOLLAR: Further questions from members of the Committee? Any further questions at this time? Seeing none, I would ask this of the Committee. Are there any members who are -- we had extended the time to 10:45 for submission of amendments to the Chairs. Are there any amendments that people intend to offer that have not been submitted to the Chair or that you anticipate submitting? I mean, if we could -- if we could have those now, we can -- we can go into a brief recess and just shorten the process. But I do not want to -- if someone's still contemplating something in the next 15 minutes, I don't want to preclude that necessarily unless we have all amendments.

So I'm -- I'm seeing no hands of -- so I'm assuming that all amendments that any Committee member is wishing to have considered by the
Committee have already been sent in to the chair. And seeing no indication from any member otherwise, the Committee will stand in recess until 11:00. We'll come back at 11:00. We will take up any amendments that we have at that time, that have been already submitted at this time. Committee is in recess until 11:00.

(Recess, 10:20 - 11:00 a.m.)

REP. DOLLAR: Come back to order. Members, the first three amendments have been passed out. There's a fourth amendment, but since it's a little bit of a larger nature, we felt we could deal with these first three first before I --

REP. JORDAN: Mr. Chairman.

REP. DOLLAR: -- do that. Before I move forward -- Representative Jordan?

REP. JORDAN: I only have two, Mr. Chairman.

FEMALE SPEAKER: I only have two.

REP. DOLLAR: You will have two that are -- have maps attached, one does not -- does not have a map attached. It's actually the first one that we're going to take up in just a moment. AST-85V1 offered by Representative Jackson; it's a one-page technical -- essentially, a technical
amendment. Okay. Well, if you will hold for that, we'll -- we'll take these amendments up in just a moment. Chairman Lewis, I believe, had a couple of quick comments and then Representative Michaux wished to be recognized and I'll get back to him.

REP. LEWIS: Thank you, Mr. Chairman. This is David Lewis from Harnett County again. The additional comment that I wanted to add is Representative Reives notified my office and this Committee that he was now a resident of Chatham County. And when I spoke earlier about the number of paired incumbents, I did not include Representative Reives in that number. However, the map that you have shows that because my office failed -- I failed to notify central staff of that. So the new maps that will be produced by Monday will clearly show that Representative Reives lives in Chatham County. That is my mistake and I apologize for it.

REP. DOLLAR: And, Chairman Lewis, that lowers the number of paired representatives to six. Representative Michaux is recognized.

REP. MCHAUX: Thank you, Mr. Chairman, and we -- we welcome Representative Reives to the Durham County delegation.
REP. DOLLAR: Any further questions at this time?

REP. MICHAUX: Yeah. Yeah, I've got a couple questions to --

REP. DOLLAR: Gentleman is recognized.

REP. MICHAUX: This is Representative Michaux again. Representative Lewis, can you tell me the party breakdown of the maps that you have redrawn that you have submitted to this Committee?

REP. LEWIS: I don't understand the question, Representative.

REP. MICHAUX: How many Republicans and how many Democrats show up in the map that you're giving us?

REP. LEWIS: Well, Representative, as far as what shows up in the map, there should be 120 Republicans and Democrats.

REP. MICHAUX: May I follow up?

Representative Lewis, I'm trying to find out how many Democrats make up the 120 and how many Republicans make up the 120.

REP. LEWIS: Representative Michaux, I
don't -- I don't have that -- that information at hand.

REP. M CHAUX: May I follow up again?

REP. DOLLAR: Follow up.

REP. M CHAUX: My -- I have information, and I have not been able to personally check it out and you can, you know, but I -- my understanding that under the maps that you have submitted with the changes you've made that Republican representation will increase by four and the Democratic representation will decrease by four. Is that correct?

REP. LEWIS: Well, Representative, thank you for the question. I don't have that information. I will tell you that the stat packs that were -- there were stat packs passed out that illustrate every -- the 10 races that we've already discussed. You could infer different things from that; I don't think they paint as clear a picture as what you are saying.

REP. DOLLAR: Gentleman's recognized.

REP. M CHAUX: Let me go to one other question, and this is on black voting age population. Do you have any information on any of the districts that you have created under the map
that is under consideration that show the black voting age population of any of the districts at all?

REP. DOLLAR: Representative Michaux, thank you for the question. I do not have any of that information. Certainly you could request that of central staff.

REP. M CHAUX: One follow-up?

REP. DOLLAR: Gentleman is recognized.

REP. M CHAUX: Was that information used in drawing these district -- black voting age population statistics used in drawing these districts that you submit for our approval?

REP. LEWIS: No, sir. And if I could expand on that answer, it's my reading of the Covington case that a district-specific analysis is required in order to use race. We are not using race in the construction of this map. We do not have information that says it would be required to be used. If you have that information, I'm certainly willing to review it, but at this time we have not received any additional information that indicates that race should be used, which is our understanding of the Covington Court's Order.

REP. DOLLAR: Gentleman wish to be
recognized for further questions? Seeing -- seeing none -- Representative Jackson.

REP. JACKSON: Thank you, Mr. Chairman. I just -- I wanted to ask a couple questions about public input. I know that I have not received any transcripts from the other sites that were cut off on Tuesday night. I was here until about 9:45 watching the people here shut up in Wake County, but I want to know if the transcripts are available and if anybody's reviewed the public comments from the areas where they didn't personally attend.

REP. DOLLAR: Chairman Lewis is recognized.

REP. LEWIS: Thank you for the question, Representative Jackson. The answer -- the specific answer to your question is, we've been told by central staff that the written transcripts will be available by Monday. I will tell you that I reached out to central staff and obtained the audio recordings and have reviewed them myself. Certainly, they are available to you in that same way.

I would speak, if I may, because there was -- the public hearings were not as smooth as I had hoped they would go. I would point out that we
had intended to have more public input, we
certainly attempted to have public input and we
value it. The -- it's come to my attention, after
the fact, that some of the satellite sites weren't
quite as big as perhaps we would have chosen if we
could go back and do it again. Certainly, if we
were going to have more than one, we would probably
choose a different site.

I'm also aware that there were a few
technical problems. I would say that the audio
recordings that were made by both the House and
Senate Sergeant at Arms -- well, let me be
specific. The ones made by the House Sergeant at
Arms don't seem to reflect that you were able to
hear what the people are saying perfectly well. I
did not listen to the Senate ones. They're
supposedly the exact same.

REP. DOLLAR: Gentleman's recognized for
a follow-up.

REP. JACKSON: And the online comments
that were made, people who submitted comments
online, who has been the person responsible for
reviewing that? And have they all been reviewed?

REP. LEWIS: Thank you for that question.
It is my understanding, and we can confirm this
with central staff, that a link to all the members
of the Committee was sent with online comments. I
asked for and received a printed version of the
online comments that had been received prior to, I
believe, Friday of last week. I've since gone
through and looked at them. I don't know that any
specific person was tasked to do it, but I did do
it.

What you'll find when you look at them,
there are -- and I'm only -- I'm only telling you
this because I know that you will go and look at
them. There's a couple of times in which the
person tried to send as -- hit send and,
apparently, it sent for -- four or five times. So
when you look at it, you will notice that the same
person just hit send more than one time. We've
asked the staff when they have time, to go through
and to kind of sort those out. But the only reason
I point that out is that's one of the things that
I -- that I saw when I reviewed the comments.

REP. DOLLAR: Representative Bell?

REP. JACKSON: Thank you, Mr. Chairman.

John Bell, District 10. I have a question for
Representative Lewis.

REP. DOLLAR: Now, gentleman's
REP. JACKSON: Thank you. Mr. Lewis, before you went to break, Representative Michaux asked a question about similarities and if any of the Plaintiff's maps were put into consideration and he mentioned there were some similarities. I went back and looked and saw a number of similarities. Can you expand upon that, please, for the Committee?

REP. LEWIS: Yes, thank you for that question. What I understood him to ask was did we make any changes as a direct result of the map? And the short answer to that was no, but what I went on further to say is, I did analyze the map very closely and there are many districts, especially in the rural part of the state, that look exactly like the map that we submitted. So we did review the map district-by-district, and there is substantial similarities in many parts of the map.

REP. DOLLAR: Thank you. Any -- any further questions before we move to amendments? Representative Michaux is recognized.

REP. MICHAUX: Representative Michaux again, following up on Representative Bell's
question. There are also very distinct differences there to; are there not?

REP. LEWIS: Yes, sir.

REP. MCHAUX: Thank you.

REP. DOLLAR: Representative Torbett for a comment.

REP. TORBETT: Yeah, John Torbett, 1 House District 108, Gaston County for a comment, Mr. Chairman.

REP. DOLLAR: The gentleman is recognized.

REP. TORBETT: Thank you. In regards to similar remarks Representative Jackson was saying, I was chairing the Charlotte meeting. And I just wanted to go on record to let you guys know that it was a heavily attended meeting. Perhaps the room could have been bigger, you never know until after the fact. We had well over, I guess, 115 attendants. Most of the time the room was at occupancy. We had some waiting outside and even tried to manage an ante room to make adjustments for the people that were there.

We had members of this Committee and delegation members from Mecklenburg present, in good attendance from both sides of the political
spectrum. And they were both attentive and respectful to any and all speakers that came forward. And we began at 4:00 and we ended at the last speaker. So it -- it was a very dignified process. The people speaking were -- were very respectful and very dignified. So there were very positive things that came out of those. So brief we held public comments in it, and perhaps in future years we will have ample enough time to have more of those where we can engage more of the public at these events.

REP. DOLLAR: Mr. Chair, thank you.
Chairman Lewis is recognized.

REP. LEWIS: Thank you. I wanted to follow up on Representative Torbett's remarks. I don't know that we did a good enough job communicating this, but the reason the sign-up began when it did and ended when it did is we were trying to make sure folks knew that if they were able to go ahead and be there at 4:00, that they could. If it was going to take them a little bit later to be there -- that they could get there, they were allowed to sign up until 6:30. I had even -- and I'm happy to produce it -- I even had some e-mail traffic with folks where I had said if
you let me know that you are delayed in traffic, we'll extend it further. But the idea was to begin it at 4:00 so that people that were able to be here at 4:00 could go ahead start. But we knew that it was going to go on into the night, go on into the evening, which is why we had sign-up open until 6:30.

To the best of my knowledge, and we were still online by then with all the sites, nobody else showed up after 6:30 and asked to sign up. I can tell you, for the Raleigh site, we would have let that to happen. But we tried to accommodate as best we could with the time that we had.

REP. DOLLAR: Thank you, Chairman Lewis. Any -- seeing no other hands, we'll move to amendments. The first amendment that will be considered is Amendment AST-85V1, AST-85V1. Representative Jackson, you are recognized to present your amendment.

REP. JACKSON: Thank you, Mr. Chairman. We -- earlier, we talked about people -- district numbers getting switched. This is one of the circumstances where this would restore Representative Collins back to the current district number he represents and Representative Richardson
back to the current district she represents. It
would not change the district lines in any way.

REP. DOLLAR: Chairman Lewis.

REP. LEWIS: Mr. Chairman, to be clear,
what I understood Representative Jackson to say is
that this is simply renumbering a district to
reflect the current incumbent. That's certainly
something that I would have done had I been made
aware of it. I would urge the Committee to vote
aye in support of this amendment.

REP. DOLLAR: All right. Seeing no
further hands, all those in favor of the amendment,
please signify by saying aye.

(Voice vote.)

REP. DOLLAR: Opposed, no. The ayes have
it and the amendment is agreed to.

The next amendment is offered by
Representative Hunter. It is amendment ABK-41V1,
ABK-41V1. And, Representative Hunter, you are
recognized to offer your amendment.

REP. HUNTER: Thank you, Mr. Chairman.
Howard Hunter, 5th District. This amendment moves
to amend the bill on Page 1, Lines 9 through 10 by
deleting those lines and substituting District 1,
Camden County, Chowan County, Pasquotank County and
Perquimans County. And on Page 2, Line 8, by deleting the line and substituting the following; District 5 Bertie County, Gates County, Hertford County, Tyrrell County, Washington County. This does not affect any other part of the state. It only redraws the grouping in District 1 and District 5. It falls in the plus or minus five percent.

Representative Steinburg also supports this amendment. Thank you, Mr. Chairman. I appreciate the Committee's support.

REP. DOLLAR: Chairman Lewis is recognized.

REP. LEWIS: Thank you, Mr. Chairman. And I want to begin by thanking Representative Hunter for his legislative courtesy. He did share this with me in advance.

I'm going to ask the members of the Committee to oppose the amendment because it does not match the county optimization schedule and requirement that we're required to meet. What it does is it will do away with a three-county grouping that's in the current map which includes Hertford, Gates and Pasquotank. And it will replace that with a five-county group that includes
Gates, Hertford, Bertie, Washington and Tyrrell. Because this does not -- this would then take the map out of optimal compliance with the Stephenson criteria, I will ask the Committee to vote no on this amendment.

REP. DOLLAR: Representative Stevens is recognized.

REP. STEVENS: Thank you. I have a -- Representative Stevens from District 90. I have a question for Representative Hunter, if I may?

REP. DOLLAR: Chairman, yield?

REP. LEWIS: I yield.

REP. DOLLAR: Gentleman yields.

REP. STEVENS: Representative Hunter, did -- is race a factor in any of these districts?

REP. HUNTER: I didn't consider race a factor in any of these districts.

REP. STEVENS: Was there any political consideration in the changing of this district?

REP. HUNTER: No. My district does not want to split the Roanoke-Chowan area, which is Hertford, Bertie and Gates.

REP. STEVENS: But you -- do you understand the criteria used about the optimum potting that we had to go with these particular
REP. HUNTER: I understand the criteria. I'm just doing what my citizens asked me to do.

REP. DOLLAR: Any further questions?

Hearing none, all in favor of the amendment, please signify by saying aye.

(Voice vote.)

REP. DOLLAR: Opposed, no.

(Voice vote.)

REP. DOLLAR: The ayes appear have it.

REP. LEWIS: The noes do.

REP. DOLLAR: The ayes -- excuse me. The noes appear to have it. And -- the noes do have it and the amendment is as agreed to.

REP. BELL: Representative Bell. Can we do a roll call on that vote for clarity, please?

REP. DOLLAR: Well, the vote -- the vote has been taken at this time. The next amendment is offered by Representative Speciale. It is ABK-41 -- no, excuse me. ABK-42V1, ABK-42V1.

Representative Speciale, you are recognized to explain your amendment.

REP. SPECIALE: Ladies and gentlemen, this -- this really is a simple -- a simple thing here. It changes a couple of precincts and puts
two people back reasonably in the districts that they started out in so that the people that they represent know who they are. It -- there's -- there is a double-bunking. It was -- I don't know why it was switched around. I have not been able to -- to figure that out. But the bottom line -- I'm doing this for one of the other representatives who is not on the Committee and not able to submit this.

But it changes -- it does not change county groupings. All it does is put these -- two people back into the districts that they originally were in and takes away the confusion as to why in the world they were switched to begin with.

REP. DOLLAR: Chairman Lewis, you're recognized.

REP. LEWIS: Thank you, Mr. Chairman. Mr. Chairman, I also want to thank Representative Speciale for the proactive way he participated in the legislative process. He did share this amendment with me. I don't know if it was yesterday or the day before. So I wanted to speak about why I oppose the amendment, but I want to explain what created the need for this conversation at all.
If you refer to your county groupings, you'll see that there is a county grouping that contains six counties; a stretch from Davie in the north to Richmond in the south. Contained within that county grouping currently is one more member of this body than those counties' population would afford to be allocated to that area. That means that because of the county groupings, two of the incumbents in this group are going to be paired.

I spent a lot of time in trying to establish some kind of measurable criteria for deciding how that would be done. The options that I had, literally, were to draw a pairing perhaps in the extreme north of the district or the extreme south of the district. That was an option. Another option would've been to simply select at random.

The option that I chose to use, because it fits the criteria that the Committee adopted, which includes incumbency. So I looked at the -- the incumbency in terms of the number of years and the seniority of the members that were involved. The members that are paired in this county grouping are those that have served the least number of years here. It is no reflection on the quality of
their service or on them individually.

I can tell you if there was any way that I could have figured out how not to pair folks -- I've already said, that I did not intentionally pair any incumbent of any party in this map. This was forced by the county groups. I offer my rationale as to why the two that are paired are paired in this group. I would respectfully request that the Committee vote no on this amendment.

REP. DOLLAR: Representative Speciale is recognized for a second time.

REP. SPECIALE: So what I'm trying to -- what I'm trying to do is put it back where it was so that the -- there is no sacrificial lamb. They -- they drew this -- the way they drew it to -- they made the decision of who they wanted to get rid of. I mean, I'm not implying anything bad about Representative Lewis; I have the fullest faith in him, but that's the reality of what he just said. They decided who was going to stay and who was going to go.

And I say the fair thing to have done would have been not to have taken away those districts from the one person in the first place. So this will put the -- put it back where it was
and -- and make it much more fair in the end. That's why I ask for your support on this.

REP. LEWIS: Mr. Chairman?

REP. DOLLAR: Chairman Lewis is recognized.

REP. LEWIS: Thank you. I just wanted to speak a second time on the amendment. Just to be clear, the amendment that Representative Speciale has proposed still creates paired incumbents. There is no away around not pairing incumbents in this particular county group.

REP. DOLLAR: Further questions or comments from the Committee on the amendment? Seeing none, all those who favor the amendment, signify by saying aye.

(Voice vote.)

REP. DOLLAR: All those who are opposed to the amendment, please signify by saying no.

(Voice vote.)

REP. DOLLAR: The noes appear to have it. The noes have it and the amendment fails. At this time, the Sergeant at Arms will pass out the final amendment and Vice-Chairman Szoka is asked to come to the podium.

REP. SZOKA: All right. Just -- thank
you for your patience in passing out this latest amendment. Do all members of the Committee have a copy of Amendment H [inaudible] 27-ASA-101, Version 3? If you're a member of the Committee and you don't have a copy of that, please signify by raising your hand. We are still -- we're still in session here? Okay. Okay. Representative Jackson, you are free to present your amendment, sir.

REP. JACKSON: Okay. Mr. Chairman.

Okay. Thank you, I'm going -- in an attempt to speed up things today, I'm just going to make some overall comments and then -- to explain why I'm introducing the amendment. Then I'll explain the amendment, if that's okay with the Chair.

REP. DOLLAR: That's fine.

REP. JACKSON: Okay. You know, the -- the public and House Democrats haven't had a very long time to review this plan. And of course, even less for the PCS, but it really is much of the same as what we've seen before. The same mapmaker was hired, who racially gerrymandered the first map. He drew the maps so unconstitutional that all nine Supreme Court justices reached agreement, which is kind of odd these days.
You know, we -- you sought public input, but from the public input that I heard, it appears that it's been ignored. The PCS wasn't even made public, to my knowledge, until about 10:10 this morning, when I saw it being handed out to members of the public. The transcripts of the public hearings have not been provided to anyone for us to review prior to today day.

It is clear from this drawing of this map that you have manipulated the drawing of African-American voters to diminish their influence in the general assembly. And you have doubled down on one of the most sweeping partisan gerrymanders in history, attempting to relegate us to a super-minority at a time when our electoral restraint is roughly equal to yours in this state.

However, you made a few new mistakes in this map that you didn't make in prior ones. You're violating our state constitutional prohibition on mid-decade redistricting by redrawing districts that do not need to be changed. You're violating the Stephenson decision and our state constitution by unnecessarily crossing county lines in several places. That is the reason why I am offering an alternative map, one that I believe
demonstrates the unconstitutional -- unconstitutionability [sic] of the PCS and provides a fair framework for North Carolina voters to elect members of the general assembly next year.

I am introducing this amendment, but I did not draw this map. I'll try to answer any questions I can to the best of my knowledge. The Plaintiffs in the Covington case did. They are not politicians picking their voters, but fair-minded people looking to move North Carolina along this decades-long redistricting travesty.

So why do I think this amendment is better? First, I'll --- I'll call it a firewall, but this amendment adopts a few simple rules. Districts and unchanged clusters that do not touch unconstitutional districts do not have to be changed. It's a rule required by our state constitution which prohibits mid-decade redistricting. In fact, the constitution reads, "When established, the Senate districts and the apportionment of Senators shall remain unaltered until the return of another decennial census of population taken by order of Congress." And then it still has the same exact thing for members of the House.
These provisions are cited in both of the Stephenson decisions. In Stephenson Number 1, it points out that the state constitution specifically enumerates four limitations upon redistricting. And number four is "Once established, the Senate and Representative districts and apportionment of senators and representatives shall remain unaltered until the next decennial census of population taken by order of Congress." That is cited in both Stephenson 1 and Stephenson 2, the exact same language.

Furthermore, the Court gave us a list of districts to change. And I would note that the districts in Wake County that number 40, 41, 36 and 37 were not in that list of districts that had to change nor was District 105 in Mecklenburg County. The PCS that's been introduced today does not adopt this approach of fixing the fewest number of districts because it wants to actually fix. And by fix, I mean it wants to improve the Republican performance in the remaining districts in Wake and Mecklenburg County.

My -- this amendment shows that you can fix the unconstitutional districts in Wake and Mecklenburg County and do that without changing the
noncontiguous districts. You can also do it better. And so I'm going to read you a little bit of what this map does in Wake County in particular. It splits fewer municipalities and the municipalities that it does split, it splits in fewer ways. And that's even taking into consideration that House districts 40, 41, 36 and 37 were frozen. So that I have -- I'm stuck with their splits that occurred in that map, but even considering that, I was able to split fewer municipalities.

One of the things from the 2001 plan that was mentioned earlier today was that that plan has actually been ruled -- was ruled unconstitutionally -- unconstitutional. It's not on the wall, I believe, but it was fixed by the 2003 plan. But one of the things people in my area really wanted is they wanted to see eastern Wake County as a community of interest put together in a complete district, and that was done in 2003. It is a community of interest. The mayor -- a different mayor came in 2011 and submitted testimony to the Redistricting Committee that eastern Wake County still believed it needed to be put together. And so in the amendment you see, you
will see that the towns of Knightdale, Wendell and Zebulon are considered a community of interest and are, in fact, together.

The Wake County portion of the map that I'm submitting is also superior on compactness scores to the map that the PCS puts before us. In Wake County, your compactness scores of the average for those 11 districts are .38 on the Reock score. The amendment that I'm putting forth has an average Reock score of .40. And that is taking, again, the four districts that had been drawn in the 2011 map which really pulled down the average because Districts 40 and 41 were .28. So really, I was redrawing seven districts and was able to do them in a much more compact way than the PCS does it.

On the other score of Polsby-Popper, the PCS score is -- at average of these 11 districts of .30. Again, the map that I've introduced drawn by the Covington Plaintiffs had a score of .32. Again, a superior drawing on one of the criteria determined by this Committee.

I do not -- we did not double-bunk any of the incumbents in Wake County or Mecklenburg County, I don't believe. I don't believe we did, but if we did, I could stand corrected, when --
when I finish speaking. Again, I didn't draw the map and so I'm just -- by my review of it.

In my drawing of Wake County, I didn't split one single precinct. In the seven districts that I had to redraw, I didn't split not one single precinct or VTD, is my understanding. And I'll -- I'll note that even this PCS that's being introduced, it's -- it splits precincts, especially in the southern part of the county. And, you know, there's been no explanation for why these precincts were split.

I do believe that this body is under a -- a court order to correct the racial gerrymander. And I do not believe that a total -- totally ignoring race is the way you fix a racial gerrymander. However, I would note that based on this prior percentage of African-Americans in the Wake County districts, this plan is superior to the enacted plan and reduces those numbers to below 50 percent. And the Court specifically held that we had to give a reason if you went above 50 percent. So that these districts should not go above 50 percent and would not -- we would not have to provide any reasoning for that.

As to why the amendment is better on the
whole county provision, I'd ask you to look at the Greene, Wayne, Johnston, Harnett, Lee, Sampson, Bladen cluster. In the PCS, House District 10 goes across three counties; Wayne, Greene and Johnston. This amendment has House District 21 cutting across only two; Wayne and Greene. There is no reason for this extra county transfers and it violates the whole county provision as interpreted by Stephenson.

If you also look at Rowan, Cabarrus, Stanley and Montgomery County -- and Richmond cluster, the PCS has two districts located solely within one county: House District 82 and House District 76. The amendment proposed has three: House District 77, House District 83 and House District 82.

And then on the -- the issue of racial gerrymandering. The original plan was an unconstitutional racial gerrymander. It's our opinion that your solution of ignoring race completely ignores the Voting Rights Act and federal law. It ignores the court order in the Covington case. It ignores the reality that in the South, race does matter and should be a factor in drafting a redistricting plan that is fair to all.
I don't know exactly how you can fix a racial
gerrymander when you claim not to use race.

Your mapmaker claims extensive experience
in North Carolina politics. He has drawn many,
many maps over the years for North Carolina.
Keeping racial data out of the computer does not
preclude the use of race in drawing the maps.
Certain election results, geography and the most
rudimentary knowledge of North Carolina and its
politics can lead to the illegal use of race in
drawing map. The fact that he has lived here in
North Carolina for at least the last three years
gives him even more knowledge. I understand that
in the partisan gerrymandering case that your GOP
expert has admitted that you don't have to have
racial data to pack black voters.

Like I said earlier, I did not draw the
amendment map. My understanding, though, is the
Plaintiffs did not use -- artificially cut
themselves off from racial data. They used racial
data as well as other political and demographic
information to draw a map that treated
African-Americans fairly. The amended map does not
create artificially high concentrations of minority
voters to diminish those voters' overall electoral
Finally, I believe that this amendment is better on the issue of partisan gerrymandering. The majority clearly thinks partisan gerrymandering is legal in this state. We -- we saw that in the congressional redistricting and we see it again today. I personally think the days are numbered on that -- that belief and the number might be getting pretty low. The US Supreme Court will decide the issue in the Wisconsin case being argued in, I believe, early October.

What is not uncertain is how gerrymandering, however, is undermining our democracy. My friends in the majority said that Democrats did it and now it's Republicans' turn. And I think if you believe that two wrongs make a right, then that makes perfect sense to me. But you can't ignore these numbers. Every statistical analysis of the current maps and the PCS demonstrate that North Carolina is the most gerrymandered state in history. What you've done and what you want to continue to do is beyond extreme.

Some say we are a purple state. Some say we are more of a reddish-purple state. The PCS
draws districts where a statewide winner, like Attorney General Stein, only wins 42 districts on this map. That's one third of this body. Republicans like to say that is not gerrymandering; that is just where Democrats live. Well, the amended map proves that this is not so. It draws a line where Attorney General Stein will win 56 districts. And reflecting where North Carolina is politically, that seems about right to me.

I believe the PCS is an extreme partisan gerrymander, but the amended map is not a democratic gerrymander. It simply sets the political table for the North Carolina House to reflect the political inclinations of the voters of the state. And I think that should be our goal. I would move for adoption of the amendment.

REP. DOLLAR: Representative Lewis, you are recognized.

REP. LEWIS: Thank you, Mr. Chairman. As I've stated earlier, I do want to thank Representative Jackson for the legislative courtesy of sharing with me that he was going to offer this map. I want to speak briefly about the map itself, but I think I want to speak a little bit about also some of the comments that Representative Jackson...
made.

The ways in which this map is similar to the Committee substitute that has been offered is, in fact, a result of the way the counties are combined. And I think Representative Jackson hit on a good point towards the end of his excellent remarks. About the way the pesky in the rural districts just won't vote for the extreme Democrats, so you've got to do everything you can to bust them up into ways that guarantee the election of Democrats.

Mr. Chairman, I want to send forward a blog post by Thomas Mills that he posted yesterday, in which he references that Democrats have got to broaden their appeal in rural areas of North Carolina and Virginia and redefine themselves with an economic message that has broad appeal. Right now, most rural residents see them as a party consumed with pushing an agenda of social change while ignoring the huge hurdles facing working class families outside a major -- outside of major urban areas. I couldn't have said it any better than this Democratic hack did. I'd like to send this forward as a part of the record.

I also want to go further regarding this
map. There are some differences. Representative Michaux asked me earlier about the differences in this map and the proposed Committee substitute that's before us. One, the Covington Plaintiffs' proposed map was drawn in secret with no public input that I'm aware of.

Representative Jackson mentioned several times that this map was better because he knew the race -- the race stats of certain areas. If those stats exist, I'd like for Representative Jackson to send them forward. Because it sounds like that there was some kind of mechanical target or quota that was used without the supporting evidence to do so, which is in direct violation to what the Covington Court said that we could do.

Regarding the map itself, I refute that the map better complies with the Stephenson rules. There are examples and I will give you the pods. There are examples of multiple transversals into counties that are not present in our map. That is a violation of the Stephenson criteria. I also would point out the gentleman mentioned the Bladen-Sampson area and in -- in particular criticized District 21. I would point out that one of the adopted criteria that the Committee had was,
in fact, incumbency protection. This double-bunks unnecessarily two seated members of the House.

Mr. Chairman, the map that Representative Jackson is seeking to amend, I will of course provide -- and have provided for the record -- does exceed -- the map that I have proposed, even as amended, does exceed in Reock score overall, the map that he has proposed. It is better in the Polsby-Popper score than the map that he has proposed.

With all due respect, I understand his comments were tailored largely around Wake County. The rest of the state has an interest in this too. And the Democratically-gerrymandered map that Representative Jackson has sent forward fails in those -- in those regards.

Further, I will ask the members to reject this map. The one point that Representative Jackson made that I think needs to be addressed, because we -- we spent a lot of time thinking about this. He references that districts that aren't touched by the districts that were declared unconstitutional should themselves be frozen. The -- I disagree with that, and I think it's a flawed legal theory because you definitely have to
consider race if you are trying to redraw lines that you're freezing around.

In other words, Wake County had districts that were struck down. Therefore, we redrew districts within Wake County. That is what the Court required us to do. We did not redraw districts that were in unaffected areas. And I know Representative Jackson may not be aware of this, but I believe this map does change the Onslow County drawings that were not touched. So I don't think that was an -- a completely accurate statement, but I don't think he misspoke. I think he was misled to that -- to that point.

There are some more points that I would like to make and may very well ask to speak a second time on this, but my initial reaction is certainly to ask members to vote this Democratic gerrymander down.

REP. SZOKA: Thank you, Chairman Lewis. Representative Dollar, you are recognized.

REP. DOLLAR: Thank you, Mr. Chair. A couple of points to -- to Chairman Lewis. Onslow Districts 15 and 14 violate what the gentleman said and that's very -- very clear and we won't necessarily accept that, but we didn't -- we didn't
change those lines. I have, in terms of traversals that are -- that we believe are not allowable, Districts 28, 90 and 67 appear to have multiple traversals that -- that are not in -- in line with those decisions of the -- of the United States Supreme Court as applied to North Carolina and -- and other court decisions, state and federal.

I would like to ask a question here of the gentleman, my colleague from Wake. Who -- who drew these maps?

REP. SZOKA: Does the chairman yield?

REP. JACKSON: I yield. I believe the Covington Plaintiffs, which are many groups including the NAACP, which was present at Tuesday night's meeting, had these maps drawn. They, themselves, introduced into the record, I believe, two of the -- I think maybe the Wake County and the Mecklenburg County drawings of this map. And then after Ms. Earls' letter to the Committee's chairs on Tuesday or Wednesday -- I can't -- whatever day she sent that and made that offer, I contacted her and asked her to share the entire map, which she did and I forwarded it to staff.

REP. DOLLAR: Follow up, please. Thank you. So Representative Jackson, and -- and I
apologize 'cause I have bad hearing and -- but -- so could you tell us the -- much discussion has been made of the -- the technical map drawer that has assisted the -- the majority here in -- in drawing maps. So you do have the name of the individual who drew this underlying underlying map?

REP. SZOKA: Representative Jackson?

REP. JACKSON: I'm not trying to avoid your question, Representative Dollar, but I believe Susan Sitze and Erika Churchill drew this map from data provided by the Covington Plaintiffs. I know that they hired a former legislative staffer, Bill Gilkeson, who was assisting them with map drawing. But how many other people they may have employed or who had made -- had impact or input into that map, I couldn't possibly know.

REP. DOLLAR: Okay. Thank you. I say we got at least one name. Thank you. I mean, my question -- my observation would be on that is that, you know, it -- people criticize maps and want things to be transparent. And yet it's -- it's been very difficult the last two days determining who actually came up with -- with this particular -- that this amendment is based on.
But, you know, I have an observation here and it may be a question in just a moment, Mr. Chairman, and that is, to me this is clearly a political document. It double-bunks 18 individuals and members in total; 12 more than what the -- than what the PCS, in fact, actually does. Several of these appear to be quite political and gratuitous. For example, Representative Millis is paired with Representative Brenden Jones. Would the gentleman from Wake yield for a question?

REP. JACKSON: Representative Dollar, I'd be happy to yield to any questions you have as long as you're not going to try to infer motivation on things that you're not aware of.

REP. SZOKA: Does the gentleman yield for the question?

REP. JACKSON: I do. As long as it's a fair question.

REP. DOLLAR: Well, the -- see if this is a fair question. Do you -- my question is very straightforward. Why did you pair those two incumbents when the criteria did not call for that, that this Committee adopted, and I certainly see no particular reason to do that. Can you tell us why that was done?
REP. SZOKA: Representative Jackson?

REP. JACKSON: I cannot answer your question about why the Plaintiffs chose to double-bunk these particular two incumbents. I can tell you that the criteria that this Committee adopted did not give a listing of priority. And so to the extent -- and I don't know if it's true, Representative -- Chairman Lewis appears to have the compactness scores for all these districts. To the extent, and possibly, the way the Plaintiffs drew it is more compact than the way the PCS draws it. So maybe they put compactness ahead of incumbency. I don't know the answer to that.

I know that there are nine or ten adopted criteria, no particular order was given. I assumed they did the constitutional requirements first. That's the way I would've drawn it. But other -- other way how -- what they've chose to put the next is -- you know, I have no way of knowing. I would also answer to your previous question about the number of incumbents that you're including. That is you should not consider people who have announced their retirements. And so, I believe, this map does it to the extent of the
double-cut [sic] -- double-bunk some members, it does so in areas where there's already been a member announced that they're stepping down.

REP. DOLLAR: Follow up?

REP. SZOKA: Follow up.

REP. DOLLAR: So clearly, you -- you -- you're not precluding that politics may have been part of it. And to your point about the others, you -- this map bunks Representative Hardister and Representative Harrison. It bunks Representative Lambeth and Representative Terry. It bunks Representative Dulin and Representative Carney. I am not aware of any of those individuals. And -- and, again, in terms of Representative Millis and Representative Brenden Jones, I'm not aware that any of those eight individuals are -- are currently planning on leaving the General Assembly.

REP. SZOKA: Representative Jackson?

REP. JACKSON: Again, I can't speak for a map that I didn't draw, but I am familiar with some of the double-bunkings that you just mentioned. I believe the double-bunking in Guilford County was necessitated because your -- your PCS drew Representative Harrison with a greater than 60 percent, I believe, percentage of African-Americans
in her district, which was, in fact, one of the challenged districts that was ruled, I believe, unconstitutional. And so that was an attempt to fix that.

The gentleman -- I believe the lady and gentleman you discussed in Mecklenburg County were potentially double-bunked because of the freezing of House District 105 since it did not touch an affected district. And so that probably necessitated one double-bunking in the lower end of Mecklenburg County. That would be just a guess.

REP. DOLLAR: Follow up?

REP. SZOKA: Follow up.

REP. DOLLAR: You offered an amendment and -- and yet, you're -- you're kind of wanting to take ownership and not wanting to take ownership, which is strange to me in my legislative experience when it comes to -- to amendments. So again, I -- I -- I -- I mean, maybe -- I'll just ask it one more time in terms of these double-bunks.

I mean, these are -- are -- are good members that I've mentioned. I think they're productive members and -- and, you know -- and some in both parties. And it just seems to me that there was no need for these double-bunkings. And
so -- so, Representative Jackson, do you -- you have no reason why you were putting all of your -- these colleagues that didn't have to be double-bunked together?

REP. SZOKA: Representative Jackson?

REP. JACKSON: Chairman Dollar, it is my understanding from reading the Covington opinion and from the different oral arguments and hearings that have been held since that decision, that the Federal Court instructed the Plaintiffs to give input to the General Assembly about when they saw -- when this process was taking place.

And so you provided a map on Saturday; data on Monday morning. The Plaintiffs responded with a map that they thought showed the defects that they saw in your -- in your -- in -- in your piece -- well, in the original proposal before the PCS. They sent that in letter format. I had drafted into an actual map so that everyone in the body could be aware of what it was -- what it was or what it did and that we could debate that. And that's simply what I did.

It's -- this is not the -- the map I would've drawn. I would've drawn Wake County a little differently 'cause I'm familiar with that.
And I would have gotten other members, perhaps, from Guilford or Forsyth County to help draw that area as well, if I'd have been doing it. The Plaintiffs may have done that; I'm just not aware.

REP. DOLLAR: Mr. Chairman, I may come back for some other questions. I would just -- and I know there's other members who have questions they want to ask and I don't want to dominate all the time. Except I would just make the observation -- I mean, it's just very clear to me, particularly on the issue of double-bunking here, that these were done for purely political and -- and -- and partisan reasons. And -- and I particularly regret when it's done to a number of members of both parties that are certainly good members.

REP. SZOKA: Thank you, sir. Next on my list here is Representative Stevens.

REP. STEVENS: Thank you, Mr. Chair. I have a couple of questions for Representative Jackson, if you'll yield?

REP. SZOKA: Will the gentleman yield?

REP. JACKSON: Yes, I will yield.

REP. STEVENS: Thank you. You indicated that a letter was sent and, based on that letter,
you had these maps drawn; is that correct?

REP. JACKSON: Based on that letter -- I asked the assignor of that letter, Ms. Anita Earls, to provide me with the data that showed those things could be fixed in the way she said they could be. I then took that data, which I believe was furnished in a Dropbox format, and sent it to staff and asked them to draw the map.

In the drawing of the map, they identified a few small errors such as, I think, unpopulated movements or something like that. And so there were a few technical corrections, so that this map is not identical to the data that was sent but is, I believe, in all relevant ways, the map that was sent.

REP. STEVENS: Has that --

REP. SZOKA: Follow-up?

REP. STEVENS: Please. Has that letter been offered into the -- to the record here?

REP. JACKSON: Yes, it -- it was. It was sent to everybody and was entered as part of the record, to my understanding. And I imagine it will be entered into the Federal Court record as well.

REP. STEVENS: Follow-up?

REP. SZOKA: Follow-up.
REP. STEVENS: Do you know how that differed from the criteria that this Committee used at all, if it did?

REP. JACKSON: Well, I -- I -- she -- and if you have not seen her letter, I can certainly get you a copy of it. I believe I do have it in my large paper folder here. She -- she noted some of the things that I went over today. One was changing districts that didn't need to be changed. One was some differences with the whole county provision and the Greene, Wayne, Johnston, Harnett, Lee, Sampson, Bladen cluster and the Rowan, Cabarrus, Stanly, Montgomery, Richmond cluster. And then she talks about the racial gerrymandering issue as well.

REP. STEVENS: Follow up?

REP. SZOKA: Follow up.

REP. STEVENS: So did she in -- did they, in fact, include racial data as a consideration in drawing the Covington map?

REP. JACKSON: Representative Stevens, I'm not sure if that is listed in the letter, but to my knowledge, the -- the racial data was considered in the drawing of their map; yes, ma'am.
REP. SZOKA: Follow up?

REP. STEVENS: Follow-up. And have you also listed or considered that racial data and posted it to the website?

REP. SZOKA: Representative Jackson?

REP. JACKSON: I want to make sure you're clear; they sent what's called, I believe, a shapefile, which is something that we can use to recreate the map that they drew. The data that you have before you is the data that has been created by staff, and it is in the same format as all the other amendments that you have requested.

However, if you request of staff, they can do you racial data based upon any amendment, as well as the PCS, the original proposal and this one as well. But I think what they've handed out is what you've used on every other map you've drawn, so that they remain consistent. But it does exist in the computer and can be pulled for you.

REP. STEVENS: Follow up?

REP. SZOKA: Follow up.

REP. STEVENS: Who requested the racial data? Was that you or was that the Covington Plaintiffs?

REP. JACKSON: Well, again, I -- it --
believe the Covington Plaintiffs considered it, but, again, they did not send us data. As far as what I have requested, I requested racial data on your original map that was released Saturday. I requested and received that data. Other members, I am aware, have requested racial data on other maps. And maybe the same map more than once and have seen posted in different areas, have been e-mailed to members' accounts and things of that nature. The only thing I requested was the racial data, I believe, for the original map.

REP. STEVENS: Follow-ups?

REP. SZOKA: Follow-up.

REP. STEVENS: Representative Jackson, are you aware on the Reock score that the mean score in Covington is 42 where it's only 41 in the House plan? And the standard deviation in Covington is 10 -- is .10, where the standard deviation of the House plan's only .09?

REP. JACKSON: No, I am not familiar with the compactness scores of any area in the proposal I listed other than in Wake County. Originally, I had planned to run a Wake County amendment, a Mecklenburg County amendment and a statewide amendment. But it -- just like all of your
questions, I think it's very clear what the vote total is going to be today. And so in the interest of time, I did not choose to cross examine members about how things were drawn and I've chosen not to waste your time by introducing multiple amendments that are doomed to fail.

REP. STEVENS: And if -- if I can follow up?

REP. SZOKA: Follow up.

REP. STEVENS: Representative Jackson, did you know the House plan splits only 19 precincts in the impacted areas? Did you -- did you realize that?

REP. JACKSON: I believe I saw the Chairman's presentation and, I believe, there was a change from 40 some -- maybe 40 to 19 or something like that.

REP. STEVENS: Follow up?

REP. DOLLAR: Follow up.

REP. STEVENS: Did you look closely at your Covington plan to indicate that there were either 43 or 44 precincts impacted?

REP. JACKSON: So I -- I have not. I can tell you that the majority of those precincts that are split under the Covington plan are split as a
result of freezing in place those districts. That, we did not do as this PCS does, an attempt to split precincts for partisan advantage or to avoid an -- a potential primary or general election opponent or anything like that. The precincts are what you originally split in 2011. And because we didn't touch those districts, we can't touch those splits.

I will also say that that -- now, looking at that number can sometimes be confusing because a VTD may appear to be split, but in fact, it has been split by the Board of Election in two separate precincts. So you may look at a number and say oh, you've got to split VTD, but in fact, you just split it along precinct lines and did not, in fact, split precincts.

REP. STEVENS: Well, did you -- did you --

REP. DOLLAR: Would you like a follow-up?

REP. STEVENS: Follow-up, please. I'm sorry. Follow-up. Did you look at a split precinct in Pitt County that wound up being split between three different districts by the Covington Plan?

REP. JACKSON: Again, I have not. -- I looked at Wake County and a little bit of
Mecklenburg County. Otherwise, I did not look.

REP. STEVENS: Follow-up?

REP. DOLLAR: Follow-up.

REP. STEVENS: And did you recognize that the Covington House plan also splits 15 municipalities, which is more than the House plan split?

REP. DOLLAR: Representative Jackson recognized.

REP. JACKSON: Can you tell me how many precincts the PCS for the House plan split? Because I believe -- I'm sorry. I'm assuming a fact not into evidence, Your Honor.

REP. STEVENS: The -- the -- the -- the House plan splits 19 precincts in impacted areas. There are clearly some legitimate reasons for those. But the Covington plan splits 43 or 44.

REP. JACKSON: Well, I think you'd moved on to ask me about municipalities, Representative Stevens.

REP. STEVENS: The municipalities -- the Covington plan split 50 municipalities and that's five more than the House plan.

REP. JACKSON: Okay. That -- so the House -- if based upon your representation that the
House plan only split 45, then if you say Covington splits 50, I would have no reason to disagree.

I would tell you that in the county I looked at, like Wake County, I -- I did a -- the Covington plan does a much better job of splitting the municipalities that does have to split in fewer places. For instance, Raleigh is split into eight -- into eight districts instead of nine. And I think Apex is split, maybe, into three instead of five and things of that nature. But because of the freezing, we cannot minimize the total amount of -- of municipalities split.

REP. STEVENS: Follow-up?

And I'm particularly, I guess, looking at Wake, Guilford and Mecklenburg. I'm -- I don't think my microphone's coming on. Okay. It's still not -- okay. There it is.

REP. SPECIALE: Mr. Chairman?

REP. SZOKA: Representative Speciale?

REP. SPECIALE: Just as a point of order, could you please let the Plaintiff and the Defendant know that we're not in a court of law?

REP. SZOKA: This is an issue of great importance to not only this body, but all of the citizens of the state. And we'll hear all the
questions and responses until whenever we need to be here. Representative Stevens, you're recognized.

REP. STEVENS: Thank you. Thank you. And -- and Representative Jackson, I promise not to be much longer, but I'm particularly looking at Guilford and Mecklenburg. And the way they're split, don't they look more like a pinwheel than a compact district?

REP. SZOKA: Representative Jackson recognized.

REP. JACKSON: Thank you, Mr. Chairman. Representative Stevens, I don't have the PCS map in front of me, so I can't do a comparison necessarily. But I would say that these maps do appear to be more start in the center and move outward. I believe, based upon -- in Guilford County, I believe, that's based upon, again, the need to get Representative Harrison's district to a different level for racial data. And -- and it -- it looks like, to me, to create more compact districts. But, again, you -- you might be better addressing these to the -- questions to the people who drew the maps.

REP. STEVENS: Mr. Chair?
REP. SZOKA: Yes, ma'am?

REP. STEVENS: I -- I just want to point out for the record that while I would like to address these to the people who made the map, they're not here.

REP. SZOKA: So noted.

REP. JACKSON: Mr. Chairman?

REP. SZOKA: Yes, sir?

REP. JACKSON: Are you sure they're not here?

REP. DOLLAR: Well, can -- if you would -- Representative Jackson, if you would call their names again, we will see if they are here.

REP. JACKSON: I don't know who drew the maps. Again, I know that Mr. Gilkeson had -- I think -- I don't think the Plaintiffs were invited to today's Committee, but if -- if you want to take a recess and invite them, maybe they'd be willing to come and answer your questions for you.

REP. SZOKA: Well, they may, but this is your amendment. I would've hoped that you would have brought the people necessary to support your amendment.

REP. STEVENS: Yeah --

REP. SZOKA: Representative Stevens?
REP. STEVENS: Mr. Chair, I just want to make the comment that, you know, he's -- he's trying to somewhat disavow himself now of the very map he's offered. Maybe it's not his dog, but he's walking it. He should have some obligation to know.

REP. DOLLAR: Ma'am, are you finished?

REP. SZOKA: Thank you very much. Next on the list -- and I have you all on the list, be assured -- is Representative Torbett.

REP. TORBETT: Thank you, Mr. Chairman. And at this time, if -- I would beg your difference. The maps that were presented when it comes down to your more heavily populated counties are -- are just -- aren't that clear. So I've had Mecklenburg pretty much magnetized or -- or magnified. If you would, Sergeant at Arms, can I ask, respectfully, if those would be distributed to the members?

REP. SZOKA: Yes, Sergeant at Arms, directed to you, pass those maps.

REP. TORBETT: And thank you. I do have a series of questions, Mr. Chairman. I would like to direct those questions to Representative Jackson of Wake.
REP. SZOKA: Does Representative Jackson yield to the questions? Thank you, sir.
Representative -- well, Representative Torbett, let’s hold on a minute until we get the maps passed out so that everybody’s looking at the same thing.

REP. TORBETT: Thank you, Mr. Chairman.

(Pause.)

REP. LEWIS: Mr. Chairman?

REP. SZOKA: Yes, sir?

REP. LEWIS: Mr. Chairman, Representative Jackson referenced earlier a letter that was sent to -- to me and signed by Anita Earls and Edward M. Speas and some other attorneys, I believe. Ms. Earls did send me an e-mail and asked this to be included in the Committee record. With your permission, I’d like to send it forward and I’d like the Sergeant at Arms to distribute it as well.

REP. SZOKA: Absolutely. I have it in my possession as stated and signed by the lady, and it will be entered into the Committee record and will be distributed to members of the Committee.

(Pause.)

REP. DOLLAR: Do all the members of the Committee have the map and a copy of the letter that has just been passed out? All right. It
would appear, seeing nothing to the contrary, that all members of the Committee have a copy of this map that Representative Torbett has passed out. And also, a member -- a copy of the letter that Representative Lewis asked to be passed out. Therefore, Representative Torbett, you have the floor.

REP. HARRISON: Excuse me, Mr. Chair, I don't have the map.

REP. SZOKA: Okay. Is she a member of the Committee?

REP. LEWIS: Mr. Chairman?

REP. SZOKA: And the Committee?

Representative Lewis?

REP. LEWIS: Mr. Chairman, I think this might help Representative Harrison's request. The map was passed out as The Jackson Amendment. That is the map we're referring to. She's got it.

REP. SZOKA: Okay. I see that you've received everything now so, Representative Torbett, the floor is yours.

REP. TORBETT: Thank you, Mr. Chairman. Representative Jackson, do you feel the issue we're debating today is a -- one person, one vote in North Carolina is a -- a serious issue?
REP. JACKSON: Sir?

REP. TORBETT: I'm sorry, I'll repeat it.

Do you feel the issue that we're addressing today in North Carolina as under one person, one vote and how those votes are defined and -- and relegated -- do you feel that's a pretty important issue?

REP. JACKSON: I do, Representative Torbett. I think my legislative record speaks for itself.

REP. TORBETT: Thank you, sir.

Follow-up?

REP. SZOKA: Follow-up.

REP. TORBETT: Thank you, Mr. Chairman.

In -- in your comments, you said you -- you would've drawn maps. And if you would have drawn maps, that this would have been different and that would have been different. As a member of the Committee, it's my understanding that myself and every member and you, as Minority Leader in the House of Representatives, had the opportunity to do just that and draw alternative maps. Is that a fair statement?

REP. JACKSON: I guess, theoretically.

REP. TORBETT: Thank you. So --

REP. SZOKA: Follow-up?
REP. TORBETT: The -- the importance that I -- I -- that I'm concerned about this, is that you chose not to draw maps under an -- an issue that is extremely important to the people of North Carolina. But I'm also understanding that the map you presented today is not the map that you drew. Is that correct?

REP. JACKSON: Well, Representative Torbett, I mean, could you -- that's several questions in one, so --

REP. TORBETT: I can break them up if you'd like.

REP. JACKSON: Well, let's just -- if I don't answer your question, you can let me know. I did not draw this map; I think I made that very clear. I did attempt to draw some areas of the map. It would take one person not familiar with the computer system with no -- you know, I have to go through staff to do these things. It -- it would take me quite a bit of time to draw the -- the entire state.

REP. TORBETT: I understand, as it would take any of us the same amount of time.

REP. JACKSON: Yeah, so, you know, I -- to do it right, you know, I would want to bring in
members from that area. I would've wanted to take public comment. You know, the week we weren't doing anything where Mr. Hofeller was drawing the map, you know, I would've -- if I had done it, I would've taken public comment that week about what do you want to see in the map. Then I would have released the map and took public comment. Okay. What's wrong with the map?

So I would've done things a little differently if I was drawing the map, but, again, I would have brought Representative Torbett in and, 'Tell me about the communities of interest in your area, Representative Torbett.'

You know, I -- I've talked about eastern Wake County being together. You know, I have a paper, Eastern Wake News; I would've asked -- you know, how to -- you got a [inaudible] fire station that your community rallies upon. I would've done things like that. So it would've taken me more than since this map was released on Saturday to get that done, yes, sir.

REP. TORBETT: Follow-up, Mr. Chairman.

REP. SZOKA: Follow-up.

REP. TORBETT: And -- and as -- would you think that it was within your purview or within
your opportunity to do exactly that, because I --
that -- I was feeling the same thing and could have
done that any time. And you feel that you were --
that you couldn't, as Minority Leader, do that?

REP. JACKSON: Let's -- let's say it this
way. I think it was a -- a task made more
difficult by the majority, and I -- and I'll give
you an example if you so -- so choose. Your
mapmaker was retained, I believe, June 26th;
they're joining 27th of this year. And he agreed
that he would redraw the map for $50,000, a flat
fee, so that he would have some -- so both sides
would have some semblance of what it was going to
cost and be certain. That same $50,000 was offered
to the Democrat and the -- the leaders of the
minority party in both the House and the Senate.
However, it was offered in June, when you took
advantage of it and got started. It was not
offered to us until August 4th, that written
letter. So, technically, did I have the ability?
Yes, sir. Did I have the same ability that the
majority party, I would dispute.

REP. TORBETT: Okay. Follow-up, Mr.
Chairman.

REP. SZOKA: Follow-up.
REP. TORBETT: Thank you. Also in -- in your -- your opinion that you were stating about the map, that -- the secret map, which they -- I think it was stated earlier. You mentioned about the criteria, and -- and the criteria that was selected by this Committee. Based on the map that I've asked to be passed out, because the -- the larger map -- just, you can't see. Based on this map addressing Charlotte, which is right next to me, which is why I -- it's kind of -- I guess I'm asking you these questions. Can -- can you show me a town on that map that was not split, a municipality that was not split to obtain a certain voting outcome? Because I thought under our criteria that we would try to -- our -- our -- our absolute best to keep the municipalities in whole. Are you aware of any towns that weren't split; are you aware of any towns that were split?

REP. JACKSON: Representative Torbett, again, I will try to answer your questions and if I don't do a good job, please, tell me what I miss.

REP. TORBETT: Sure.

REP. JACKSON: One thing is, you referred to this as the secret map, and I take great offense to that description. I'd shared this map with
this -- this Committee in whole and -- well, particularly with the chairman of this Committee, immediately upon receiving it. Okay. So it -- I don't know where the word secret comes, but I shared it.

I didn't wait 'til the amendment deadline at 10:30, which got moved to 10:45. I actually shared this way earlier. In fact, I shared it before your side shared the PCS for today with us. So -- so I think calling it a secret map's a little unfair to me and how I do business. As far as municipalities, all I know about Mecklenburg County is what you've just handed me. It would appear to me that Huntersville is kept whole in this map. It would -- it would -- again, if I -- if -- when I'm talking, if I could be the only one [inaudible] --

REP. DOLLAR: The gentleman has the floor.

REP. JACKSON: It appears from your map that Huntersville applies all in the blue area, Davidson's all in yellow and that Cornelius appears to be across two different colors. Mount Holly appears to be all in green to the extent that it is all in Mecklenburg County; could be one of those municipalities that carries them to two counties
for all I know, Pineville, it looks like it's the majority in pink, but it's got the letter E on the gray area, which, again, in our map was a frozen district, so we didn't change that. So if it is split, it's split by that rule, the state constitution not changing anything. It looks like Matthews is clearly probably split. I have been to Matthews -- it's a pretty large city -- so I'll -- I'll -- I believe that that is split. Looks like Mt. Hill split. And, of course, Charlotte is split into most, if not all of these districts.

REP. JACKSON: Thank you. Thank you for your answer and just for the -- for the record, Mount Holly is actually in Gaston County. So you approached on the map probably a little bit different there. Are -- are you aware that it splits almost every town possible just simply to retain or -- or to actually change or -- or give the voters more of an edge to not elect Republicans, but elect Democrats.

REP. JACKSON: So if you say more municipalities were split, then I'll take you at your word. Again, I'm very careful when I speak on the floor and when I speak in Committee. I've
given motivations to people that I don't know about. So I'm not going to agree with your --
your -- your description that they were motivated by partisanship because I don't know that. They
will -- they'll have to answer that question for themselves. I can tell you that I understand the
criteria they used were to freeze District 105, which was not contiguous to an impacted district and
to cure the racial gerrymander that existed in several districts in Mecklenburg County. What they
did after doing those two things and how they did it, you would have to ask them.

REP. TORBETT: Thank you. Follow-up, Mr. Chairman?

REP. DOLLAR: Follow up.

REP. TORBETT: Thank you. And I -- just for the record, I personally believe that the voters -- a lot of this debate that we have is useless because voters are of high intellect to understand that they vote for the individual more than the party anyway and that a lot of this is just, I guess, what we have to go through about every ten years.

Now, let me ask you something else. So also in your -- in your comments, you -- you
address -- and I think this question, I don't -- it's been a while since your comments were made. You addressed Chairman Lewis as -- as to offer an explanation on why these precincts were split, and I think you asked that in a pretty definitive question. So I would ask you, sir, on the map that you've submitted, could you provide the explanation why 10 precincts were split in Mecklenburg? And I can wait for your answer.

REP. JACKSON: (No response.)

REP. TORBETT: Mr. Chairman, just -- I think that will conclude my questions based on that.

REP. DOLLAR: Thank you, Representative Torbett.

REP. JACKSON: It appears from the lifting of split -- of split VTDs that we've been given that 10, in fact, are split. The number one -- the first one is VTD 87. That is split because it includes House District 105, which is a frozen precinct, so it couldn't be -- frozen district, so it couldn't be fixed under our state constitution. VTD 88 includes House District 105, which is frozen under the state constitution and could not be fixed. VTD 91 includes District 105, which -- so
that's a frozen district and could not be fixed. VTD 121 includes House District 105 and it's frozen and therefore it could not be fixed. VTD 129 includes House District 105, which is frozen and cannot be fixed.

VTD 225 includes House District 105; it's frozen and could not be fixed. VTD 227 includes House District 105 and could not be fixed. By my calculation, there are three VTDs that are split that did not include House District 105. I could not tell you if those were done for population, deviation -- to make the deviations right, if it was done for compactness, if it was done for incumbency or if it was done for political reasons or racial -- you know, to equalize the racial numbers in those districts. I couldn't tell you because I didn't draw it. I will tell you that only three of them were split as a result of any other reason other than the frozen district of House District 105.

REP. SZOKA: Thank you. Representative Gill, you're recognized.

REP. GILL: Thank you. I was just going to ask for the roll call at -- at the time of it.
REP. DOLLAR: Okay. Thank you.

Representative Michaux, you're recognized.

REP. M CHAUX: Mr. Chairman. I've got a -- more of a statement than a -- than a question.

REP. SZOKA: That's fine.

REP. M CHAUX: These -- this map that you have before you in the amendment, introduced by Representative Jackson, who was asked to do it as constituents asked all of you to do. The half of you don't know what you're doing with them anyway, when the ask you to do it. He was asked to introduce these on behalf of the Plaintiffs in this matter, I don't know anybody in this body that is a member of the Plaintiffs, who -- in this body. The maps were drawn by the Plaintiff -- the map was drawn by the Plaintiffs, not using statewide money. They didn't -- they didn't get $50,000 to draw that map. They drew it as part of the action that they took that has found that you racially gerrymandered these districts.

So you can sit up here and talk about all the numbers that you got in there that you want. These people went out and said you did them wrong and they're the ones paying for trying to correct what you did wrong. And if you talk about
Democratic gerrymander on this map, what about the Republican gerrymander on your map? I mean, give me a break, folks. We can sit up hear all day and are you going to pass this. You going to sit up here and try to make a record, and we're doing the same thing. Fortunately, our record seems to be a little bit better than yours because you're trying to make up something that just ain't there. And you've got more to go even there -- even further down the line, you going to be looking at political gerrymandering, not racial gerrymandering, which is coming up very soon in the United States Supreme Court.

So you can sit here all day. I'm not going to sit here all day. I'm going to leave, because I know what you're going to do. You're going to pass it and you're going to send it on to the Court. The Court's going to look at it and I don't know what they're going to say, but I can give you a pretty darn good idea that somebody else is going to be drawing some maps somewhere down the line. So, have fun, y'all.

REP. SZOKA: Representative Brawley, you're recognized.

REP. BRAWLEY: Thank you, Mr. Chairman.
As I've watched this debate -- first, I -- I would like to say something to Representative Jackson. And, to the gentleman, I was not intending to imply that you were misleading the Committee. I realize that you were presenting a plan you did not draw and believe that when you were making misstatements, they were honest errors because you were not familiar with the areas with which you were speaking. And if I gave any impression that I was questioning your honesty or that you were deliberately misleading this Committee, I would like to correct that. You are a man with whom I frequently disagree on issues, but who I find personally honorable.

I would also like to draw the Committee's attention to a court case a few years ago involving the Ford Pinto in a rear-end collision, which led to an explosion. During jury selection it was one of the first times that psychological testing was used to determine the jurors. And the people defending the case realized that women were much more likely to find for the Plaintiff, but discovered that if they asked the woman a question, can you drive a truck, that gave her the same view towards automobile maintenance that a man would
have. And one of the key things in the case was
the gas cap had been left off of the car and that
was the reason the Ford Motor Company said it
actually blew up, because gas was splashing out.

I think that question is like this thing
about freeze District 105 in Mecklenburg County.
It looks innocuous, but it's actually the key to
achieving the aims that -- I believe that the
Democrats would like to achieve in this issue. By
freezing 105, but having to move everything else,
it allowed them to split Matthews and Mint Hill, a
clear community of interest, into three pieces.
Now, the reason -- well, one, I'm very familiar
with it because I represent that area. I've lived
in Matthews since 1982, and Matthews and Mint Hill
or on Matthews-Mint Hill Road. We read the
Matthews-Mint Hill weekly. We share a Park
Commission slot on Mecklenburg County Board of Park
Commissioners. Kids in Matthews go to middle
school and elementary school in Mint Hill. Kids in
Mint Hill go to high school in Matthews. We play
in both sports leagues. They -- sometimes we
wonder why the towns don't just merge. They do
tend to vote very Republican; however, not always.
Those towns have always elected whoever's in that
district, from Jim Black, Larry Digg, Sean LeMonde, Jim Gulley and me.

By chopping this into three pieces, northern Mint Hill is now part of Representative Autry's Democratic district and it will vote Democratic and will probably elect a Charlotte Democrat. The southern portion of Mint Hill and the northern portion of Matthews now runs into Charlotte and will probably elect a Democrat from Charlotte. And 104, having only the southern portion of Matthews, once -- is also subsumed in Democratic portions of the City of Charlotte. So these two southern towns, Matthews and Mint Hill, with a combined population of almost 60,000, will not be able to elect their own representative.

This also meant that redrawing 104 created a double bunk situation where Representative Dulin is now in the seat Representative Carney represents. The shifts around by holding 105 steady allowed the map drawers to create in District 107 a district that pulls a lot of Republican votes out of Huntersville and Cornelius and subsumes them into Democratic votes in Charlotte. I've been through the data on this. This map will elect 11 Democrats and one
Republican. To me, this looks like a partisan gerrymander of some of the most blatant types, by breaking apart communities which have separate identities and putting them under the dominance of the City of Charlotte. I would have to vote against this. My people would go crazy if I sold them out. Thank you.

REP. SZOKA: Thank you. Next on the list is Representative Jones.

REP. JONES: Thank you, Mr. Chair. Just a brief comment and, during my comment, if I may pose a question to Chairman Lewis if he would respectfully yield.

REP. SZOKA: Will -- will the gentleman yield?

REP. JONES: I have listened closely to the a lot of the comments that have been made today and just over and over considered how -- how misleading some of the comments have been made, particularly regarding race and how I believe a casual observer who would be listening to this Committee meeting or -- just -- perhaps online or -- or whatever, could misconstrue something. But, Representative Lewis, you were here in the general assembly during some of the terms of the
past decade when the -- when the Democrats were in
the majority and -- and drew the maps. And now
you've been here during this decade when the
Republicans have been in the majority and drawn the
maps. As far as the racial makeup in the general
assembly, after the Republicans drew the maps in
2011, the racial minorities end up with more seats
in the general assembly or less seats?

REP. LEWIS: Thank you for that question,
Representative Jones. I'll do my very best to
answer it. Obviously, I can't speak for decades
prior to me serving. I will tell you that, in
2011, we conducted extensive research and expert
reports that indicated that racially polarized
voting existed in the state. We interpreted that
to mean that we needed to construct districts where
minority populations would have an opportunity
to elect the candidate of their choice. The
Covington case -- the Covington Court reviewed the
evidence -- the same evidence, the same expert
reports that we had before us and determined that
we did not have sufficient information to use race
as a factor. Therefore, we did not use race when
we drew these maps. I think the net result of what
you asked, to my knowledge, there probably are more
African-Americans serving in both chambers today than there were in 2010. Excuse me, than there were in the prior -- yeah, than there were in -- in 2010, but I -- I also haven't personally looked at that number.

REP. JONES: Just a brief follow-up.
REP. SZOKA: Follow up.
REP. JONES: Representative Lewis, would you be surprised if I -- if I told you we currently have 25 racial minorities serving in the general assembly and that is a greater number, than we had -- than when the Democrats were drawing the maps during the past decade? Would that surprise you?

REP. LEWIS: I would have no reason to question your -- what you said. No, sir.
REP. JONES: Thank You.
REP. SZOKA: Representative Brockman, you're recognized.
REP. BROCKMAN: Okay. I -- I have a -- two questions and a comment. And I want to just comment on the last question or the last thing that Representative Jones said. Yes, there may be more African-Americans, but we have less power. We have a super-minority, so, you know, we have less power;
we have less influence. So, you know, you're really diluting the African-American voice, which is really kind of the point of why we're here. But then -- so my two questions are --

REP. SZOKA: Sir, who are your questions directed to?

REP. BROCKMAN: The Chairs.

REP. SZOKA: Specifically both or --

REP. BROCKMAN: Either Chair -- either Chair will be fine.

REP. SZOKA: Okay.

REP. BROCKMAN: Thank you. I just want to know if any of the Chairs agree with Leader Jackson's statement that North Carolina is a purple state? That's my first question.

REP. LEWIS: Thank you for the question, representative. To be clear, I don't remember Representative Jackson using those words, but I will go with the presumption that he did. I would say that there are certain areas in North Carolina that tend to vote strongly Democratic. There are certain areas in North Carolina that tend to vote strongly Republican, and oftentimes those areas have direct correlation to where these communities lie within the state. But, as you know, we do not
have a proportional system of representation. The reason that it is -- yes, it is clear that a state that can elect a Democratic governor and a Republican lieutenant governor and a Republican senator and a Democratic AG, yes, it is clear that our state votes in different ways, but, as you know, those are at-large races. Nobody, to my knowledge -- except for one speaker at the public hearing in the Raleigh site, nobody, to my knowledge, has proposed completely changing our constitution to go into a proportional representation way.

We talked about this earlier and I kind of made it -- and by earlier I mean one of the earlier Committee meetings, I kind of made a joke that we elect members from districts who then choose a speaker and choose a president pro tem. We don't elect a prime minister because we have an executive branch. If we were to move to the kind of system that acknowledges a purple state, which is kind of a code word for there ought to be some way to change to have proportional representation, I think that far exceeds what the Covington Court has asked us to do and far exceeds the time in which we have to -- to do it.
REP. BROCKMAN: Okay. I was just simply asking if you think North Carolina is -- my follow-up question is, do you think North Carolina is a super red state, then, by you answering that question -- by the way you answered that question? In a way that produces -- in a way that that's super-majority for either party; would you say that? Is North Carolina -- do you think North Carolinians would prefer a -- or the representation of North Carolina would be a supermajority for either party?

UNKNOWN SPEAKER: Mr. Chairman?

Representative Dollar?

REP. LEWIS: I know that Representative Dollar wants to address this, but if I could and -- 13 out of 17 statewide races this time were won by the person that had an R behind their name. Do I -- I don't particularly like, to be candid with you, the deep red or deep blue or whatever else. In fact, up until 20 years ago when they talked about the folks that are registered like me, they'd use blue and they'd use red for folks that are registered like you. So -- but I'll concede that when commentators talk about our state now, they may say red state and blue state and all this, I --
I get that. I'm trying to tell you that I think it's more complicated than -- than -- than that. I don't know that I would acknowledge that a state that elects 13 out of 17 statewide offices is necessarily a purple state. But maybe Representative Dollar might want to add to that.

REP. SZOKA: Representative Dollar, would you like to answer that question?

REP. DOLLAR: The gentleman made my point.

REP. SZOKA: Representative Brockman?

REP. BROCKMAN: And I'll just end with this comment. You know, North Carolina -- I think most political folks who look at North Carolina would say North Carolina is a purple state, a state that goes back and forth. Our governor's race was very tight and most of our statewide races are tight. You know, they go back and forth. You know, the problem with your argument, with due respect, is a county like Guilford County that has -- is a Democratic county, Wake County is probably a Democratic county. My county, for example, Guilford County, we've got three Democrats and three Republicans. You know, I don't necessarily think your argument holds up in those...
particular counties.

I would urge this Committee to vote for Representative Jackson's amendment because this amendment would bring our state back to a more 50-50 equal playing field. And will, you know, make our state -- make our General Assembly a "purple General Assembly, which is what our state is. Thank you.

REP. LEWIS: Chairman.

REP. SZOKA: Representative Lewis?

REP. LEWIS: I don't want to jump in the queue. Was I next or --

REP. SZOKA: I thought you were going to respond to --

REP. LEWIS: Well, yeah, just to -- if I can, to speak on the point of the amendment. I actually agree with Representative Brockman said. Voting for this amendment that was submitted by the Covington Plaintiffs, which is clearly Democratic gerrymander, will find a way to take Democrats into areas that they can't currently win because their messaging problem will not allow them to win elections.

REP. SZOKA: Next in the queue is Representative Michaux for a second time.
REP. MICHAUX: Yeah -- yeah, Mr. Chairman, I have just more of a statement than a question. Representative Jones is absolutely right. As time went on, we picked up more black representation in this body. When I came to this body, Representative Jones, decades ago, there were only three of us here. Now there are 25 of us here. Through no thanks but anybody but hard work on folks who lived in those communities that did it because they got an opportunity to elect folks of their choice.

Now, you weren't responsible for that. I can tell you this, that during slavery time there were more black folks on plantations than white folks, but who ruled the roost? That's what the situation is now, if you want to get right down to it. There are plenty of us here, but we don't have the power or authority because of racial gerrymandering. And that's where we are.

REP. SZOKA: I have two members left in the queue and Representative Jackson, I have a procedural question for you. Because when you offered the amendment I didn't hear a motion for it, so before it slips the Chair's mind, I would like to make sure that there is a motion for your
amendment. You may have, but I can't remember.

REP. JACKSON: Thank you, Mr. Chairman. I'm not sure if I did that as well. I would say that I would agree with some of the comments today about this amendment not being perfect, but I do believe it's superior to the PCS and, therefore, I would move for adoption.

REP. SZOKA: Thank you, sir. Representative Dollar, you're recognized.

REP. DOLLAR: Thank you. And I -- I realize the time and so I'll -- I'll try to -- I'll try to make this a little briefer than before. And that is -- but I do -- would like to ask, just so I can understand. Representative Jackson, would you yield for a question?

REP. JACKSON: I yield.

REP. DOLLAR: Thank you. My question would be, you mentioned redistricting resources that you became aware of in -- in April, on the -- on the Republican side. I guess my question is, at that point in time, did you put anything in writing to the speaker requesting any -- any resources at that time?

REP. JACKSON: In April, no, sir.

REP. DOLLAR: Thank you. Let me just
make some comments. I would -- I would just, again, comment, you know, in terms of resources and I -- I know Chairman Lewis has mentioned this, that resources equal on both sides were offered and the gentleman answered my question in terms of when he became aware. I would also make some broader points, though. One is that, along this line, you know, we've been talking about, well, you know, certain people get resources, certain people in General Assembly. But I would certainly think that folks should be reminded that when Republicans and others were challenging, successfully, the constitutionality of maps drawn by the general assembly in previous decades, I don't think the General Assembly offered them any new resources to carry forward what -- what were, in many cases, successful challenges in state and federal court that repaired a number of unconstitutional items that -- that were -- that we had in this state. And so, certainly, Republicans have been on -- on the -- in the -- about reforming and making our system better for a host of decades.

The other thing that I would just mention very quickly is -- and that is, when I look back at Wake County -- and I will not trouble my colleague
with any more questions at this point, but it's just very clear to me that there's some political gerrymandering going on here with the map that -- that these Plaintiffs, that -- that Representative Jackson is -- is offering.

Clearly, you have far more seats there that are Democrat. I mean what's -- what's being done to Representative Malone's district is clearly political motivation to make sure that Representative Malone cannot be re-elected. I think the same thing is true when you -- when you look at Mecklenburg County. This is just an attempt to gerrymander for the Democrats' purposes when, as Chairman Lewis points out, they have a hard time in a number of the rural areas and small towns to try to use a political gerrymander to attempt to make up for that in a -- in urban areas.

And I would ask you to defeat the amendment.

REP. SZOKA: Further discussion for the debate? Representative Jackson?

REP. JACKSON: I thought I was in the cue?

REP. SZOKA: You're recognized now.

REP. JACKSON: Thought it would be fair if I got to respond to some things people had said
about me and motivations and things, if that's okay?

REP. SZOKA: You have the floor.

REP. JACKSON: First of all, there's been a lot of referring to this as a partisan gerrymander, this plan. You know, again, I will point out that Attorney General Stein, who won statewide in the PCS, only won in 42 districts and this -- this PCS -- this amendment, he wins in only 56 districts. If that's a Democratic partisan gerrymander and if the Republican one isn't a partisan gerrymander, I'd sure hate to see them. I think that those type of statewide numbers prove that, in fact, it is not a -- a gerrymander.

There were some questions about April and when I became aware. I became aware that $50,000 had been given to Mr. Hofeller when I read about it in the News and Observer. That was not in April; that was earlier this month. I can't remember if it was a day or two days before the offer was formally made to me. I will note, Mr. Hofeller was paid to do the clustering map because a clustering map was done last year about this time and that no offer was made to me or to Senator Blue, to my knowledge, to allow us to have money in addition to
do a clustering map. Clustering map is a mathematical thing under the Stephenson decisions. It takes a mathematician to develop some algorithms to do that and so I think it's a little unfair to say we've had a equal opportunity because that certainly is not true.

The purpose of this map is to show that the Plaintiffs' objections to the map that's being introduced today, the PCS, can be cured. I would not expect you to take my version of Wake or Mecklenburg County. However, when an attorney who has been fighting these redistricting maps since 2011 and, as Representative Dollar likes to say, has been extremely successful, in fact, in getting the 9-0 result in front of the United States Supreme Court that the map was in fact racially gerrymandered, that she pointed out some constitutional deficiencies with your map -- your PCS. I would have expected you to go back into Wake County and to Mecklenburg County and draw something that fit more to your liking in the partisan nature that would have protected Representative Malone. And it can be done, but you chose not to and so I guess we'll leave it up to the federal court whether they draw it themselves,
whether the adopt the Plaintiffs' map or whether they approve the PCS.

I do want to also follow up on what Representative Michaux was saying. Racial gerrymandering isn't about electing a higher number of African Americans. It's about giving African Americans the ability to elect candidates of their choice in more areas. For instance, Representative Michael Wray represents a majority minority district. In his counties, they have chosen him to represent them in several elections over minority opponents. That's their candidate of choice. The fact that he does -- is not black, doesn't mean they didn't get to elect their candidate of choice. In fact, they did do that.

Representative Harrison represents a very similar district and I, in fact, represent a district that, at the percentage of only 30 percent African American elected its candidate of choice in two elections before I was appointed to represent them in fact, against me. She defeated me in her first election. And so that's what racial gerrymandering is about. It's not about creating a certain number of African Americans. It's about diluting their ability to elect their candidates of
choice by putting a high number of them into certain districts so that they don't have the opportunity to elect their candidate of choice in all the districts that surround them. That's what racial gerrymandering is all about.

I would just move for adoption of the amendment, mister -- Mr. Chairman.

REP. SZOKA: There's one more member that raised his hand. I recognize him, then we'll move to a vote on the amendment. Representative Jones?

REP. JONES: Thank you, Mr. Chair, and I appreciate your indulgence. I just wanted an opportunity to speak briefly, since -- since I was addressed personally by some of the members since I spoke.

You know, I was elected and I would just recall that the Republican majority was elected in 2010 under maps that the Democrats had drawn at the time and the whole suggestion that somehow we're here as a majority today because of Republican maps, I think, is -- is -- is incorrect. I think Representative Lewis alluded to it. We don't need to get into the red, blue, purple state, but I think it does, by saying that in the last 10 presidential elections, North Carolinians have
voted Republican nine times. In the last 16 US Senate elections, they've voted Republican 13 times.

So, you know, I seem to recall the time in the not too distant past when this body was 114 Democrats and 6 Republicans. And I'm -- I'm pretty sure there was never a time in this state where 95 percent of the people in the state were voting Democrat. Yeah, it was a -- more of a Democrat state in those days, but I say all that to say that, you know, some of the comments that came back, well, we have more racial minorities here than we've ever had, but we have less power.

And I would simply say, if that is the case, it is not because of race, it's because of your party. You've chosen to affiliate with a party that has less power in this state, less influence in this state because people of this state have moved away from your party and are no longer voting for your party like maybe they once did. And I think that's -- that's fair to point out. Whether you want to agree with it or not, it is the case. So, Mr. Chair, that is -- that's all I've got to say.

REP. SZOKA: Thank you. Having a motion
to adopt amendments --

MALE SPEAKER: Mr. Chair? Mr. Chairman?

REP. SZOKA: HB27-AS-[inaudible] properly before us and Representative Gill having called for a roll call vote, the clerk will read the roll.

THE CLERK: Representative Bell?

REP. BELL: No.

THE CLERK: Representative Bell, no.

Representative Jackson?

REP. JACKSON: Yes.

THE CLERK: Representative Jackson, yes.

Representative Stevens?

REP. STEVENS: Yes.

THE CLERK: Representative Stevens, no.

Representative Brawley?

REP. BRAWLEY: No.

THE CLERK: Representative Brawley, no.

Representative Brockman?

REP. BROCKMAN: Yes.

THE CLERK: Representative Brockman, yes.

Representative Burr?

REP. BURR: No.

THE CLERK: Representative Burr, no.

Representative Davis?

REP. DAVIS: No.
THE CLERK: Representative Davis, no.
Representative Dixon?
REP. DIXON: No.
THE CLERK: Representative Dixon, no.
Representative Dobson?
REP. DOBSON: No.
THE CLERK: Representative Dobson, no.
Representative Dulin?
REP. DULIN: No.
THE CLERK: Representative Dulin, no.
Representative Farmer-Butterfield?
REP. FARMER-BUTTERFIELD: Yes.
THE CLERK: Representative Farmer-Butterfield, yes.
Representative Floyd?
REP. FLOYD: Yes.
THE CLERK: Representative Floyd, yes.
Representative Garrison?
REP. GARRISON: Yes.
THE CLERK: Representative Garrison, yes.
Representative Gill?
REP. GILL: Yes.
THE CLERK: Representative Gill, yes.
Representative Grange?
REP. GRANGE: No.
THE CLERK: Representative Grange, no.
Representative Hall?

REP. HALL: No.

THE CLERK: Representative Hall, no.

Representative Hanes?

REP. HANES: Yes.

THE CLERK: Representative Hanes, yes.

Representative Hardister?

REP. HARDISTER: No.

THE CLERK: Representative Hardister, no.

Representative Harrison?

REP. HARRISON: Yes.

THE CLERK: Representative Harrison, yes.

Representative Hastings?

REP. HASTINGS: No.

THE CLERK: Representative Hastings, no.

Representative Howard?

REP. HOWARD: No.

THE CLERK: Representative Howard, no.

Representative Hurley?

REP. HURLEY: No.

THE CLERK: Representative Hurley, no.

Representative Hunter?

REP. HUNTER: Yes.

THE CLERK: Representative Hunter, yes.

Representative Johnson?
REP. JOHNSON: No.

THE CLERK: Representative Johnson, no.

Representative Jones?

REP. JONES: No.

THE CLERK: Representative Jones, no.

Representative Jordan?

REP. JORDAN: No.

THE CLERK: Representative Jordan, no.

Representative Malone?

REP. MALONE: No.

THE CLERK: Representative Malone, no.

Representative Michaux?

REP. MCHAUX: Yes.

THE CLERK: Representative Michaux, yes.

Representative Moore?

REP. MOORE: Yes.

THE CLERK: Representative Moore, yes.

Representative Pierce?

REP. PIERCE: Yes.

THE CLERK: Representative Pierce, yes.

Representative Reives?

REP. REIVES: Yes.

THE CLERK: Representative Reives, yes.

Representative Willingham?

REP. WILLIAMINGHAM Yes.
THE CLERK: Representative Willingham, yes. Representative Speciale?

REP. SPECIALE: No.

THE CLERK: Representative Speciale, no. Representative Rogers.

REP. ROGERS: No.

THE CLERK: Representative Rogers, no. Representative Saine?

REP. SAINES: No.

THE CLERK: Representative Saine, no. Representative Wray?

REP. WRAY: Yes.

THE CLERK: Representative Wray, yes. Representative Torbett?

REP. TORBETT: No.

THE CLERK: Representative Torbett, no. Representative Yarborough?

REP. YARBOROUGH: No.

THE CLERK: Representative Yarborough, no. Were there any members that missed? I apologize. There's a -- I had to make a new sheet. Oh, the Chairs, I'm sorry. Representative Lewis?

REP. LEWIS: No.

THE CLERK: Representative Lewis, no. Representative Dollar?
REP. DOLLAR: No.

THE CLERK: Representative Dollar, no. Representative Szoka?

REP. SZOKA: No.

THE CLERK: Representative Szoka, no.

REP. SZOKA: By a vote of 15 ayes, 26 no's, the amendment fails. We're back on -- we're back on the PCS. Representative Lewis, you're recognized.

REP. LEWIS: Mr. Chairman, I'd like to be recognized for a motion.

REP. SZOKA: You are recognized for a motion, sir.

REP. LEWIS: Mr. Chairman, I move that the proposed Committee substitute for House Bill 927 be reported favorably as to the PCS as amended and that that PCS be rolled into a new PCS and that the short title of that PCS be amended to read 2017 House Redistricting Plan A1.

REP. SZOKA: We have a motion before us. All those in favor should --

FEMALE SPEAKER: Mister --

REP. SZOKA: -- imply their support by say aye.

FEMALE SPEAKER: Mr. Chair?
REP. SZOKA: All those opposed, no.

MALE SPEAKER: Division.

MALE SPEAKER: Division.

REP. LEWIS: I think -- I think what happened is, they wanted to speak on the one question, but you should --

REP. SZOKA: Division having been called, clerk will call the roll.

MALE SPEAKER: We already started, right?

THE CLERK: Representative Jackson?

REP. JACKSON: No.

THE CLERK: Representative Jackson, no.

REP. HARRISON: Mr. Chair, are we going to be allowed to discuss the motion?

REP. SZOKA: Suspend for a moment. All right. All right. The chair apologizes. I did not see any hands raised. So since this isn't -- we'll suspend this vote and allow those people to be recognized that wish to speak on the PCS. So -- so who -- Representative Harrison recognized. Whoever else wants to talk, if you would raise your hand so I can look around and make sure that you're properly recognized?

REP. HARRISON: Thank you, sir.

REP. DOLLAR: Representative Harrison,
you have the floor.

REP. HARRISON: Thank you, Mr. Chair.

Pricey Harrison, District 57. Just a brief comment, I share many of the concerns that Representative Jackson articulated, but I did want to say, specifically with the district that I currently represent, which is House District 57, it was one of the constitutional -- one of the districts deemed to be unconstitutional based on racial gerrymandering. The current African-American composition is 47 percent and -- and -- African American and 47 percent white. The proposed district is now -- now I see 60 percent African American, which doesn't seem to cure the constitutional issue of racial gerrymandering.

There -- I do believe that there are ways to have -- to the extent that Democratic performance needed to be taken into account for the criteria that -- that the Midland Park neighborhood, which is split Precincts 15 and 48, that could've been included in the district and would've achieved a little bit more racial balance. That's why I was at Precinct 16 and -- and 35, which were adjacent -- I want to maintain the compactness. So I just wanted to make that point
for the record and I appreciate that. Thank you.

REP. SZOKA: Thank you. And, again, I apologize for my mistakes. Further discussion, further debate? Further discussion, further debate? I see now no one is indicating they wish to debate or discuss this further. Therefore, we have the motion properly before us and we have cancelled the last vote, so if anybody wants to say something about the vote because I'm about to call for the ayes and the no's. All right. Having said that, those in favor of the PSC submission made by Representative Lewis, please say aye.

(Voice vote.)

REP. SZOKA: Those opposed [inaudible] --

REP. MCHAUX: Mr. Chairman, I thought you were going to call the ayes and noes.

REP. SZOKA: Again, it was my mistake earlier that that was for the previous vote, which was cancelled, which I asked here again. If you -- are you calling division, sir?

REP. MCHAUX: Yes, I am

REP. SZOKA: All right. The clerk will call the roll.

THE CLERK: Representative Jackson?

REP. JACKSON: Aye.
THE CLERK: Representative Stevens?
REP. STEVENS: Yes.
THE CLERK: Representative Stevens, yes -- Representative Stevens, aye. Representative Bell?
REP. BELL: Aye.
THE CLERK: Representative Bell, aye.
Representative Brawley?
REP. BRAWLEY: Aye.
THE CLERK: Representative Brawley, aye.
Representative Brockman?
REP. BROCKMAN: No.
THE CLERK: Representative Brockman, no.
Representative Burr?
REP. BURR: Aye.
THE CLERK: Representative Burr, aye.
Representative Davis?
REP. DAVIS: Yes.
THE CLERK: Representative Davis, aye.
Representative Dixon?
REP. DIXON: Aye.
THE CLERK: Representative Dixon, aye.
Representative Dobson?
REP. DOBSON: Aye.
THE CLERK: Representative Dobson, aye.
Representative Dulin?

REP. DULIN: Aye.

THE CLERK: Representative Dulin, aye.

Representative Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: No.

THE CLERK: Representative Farmer-Butterfield, no.

Representative Floyd?

REP. FLOYD: No.

THE CLERK: Representative Floyd, no.

Representative Garrison?

REP. GARRISON: No.

THE CLERK: Representative Garrison, no.

Representative Gill?

REP. GILL: No.

THE CLERK: Representative Gill, no.

Representative Grange?

REP. GRANGE: Aye.

THE CLERK: Representative Grange, aye.

Representative Hall?

REP. HALL: Aye.

THE CLERK: Representative Hall, aye.

Representative Hanes?

REP. HANES: No.

THE CLERK: Representative Hanes, no.

Representative Hardister?
REP. HARDISTER: Aye.

THE CLERK: Representative Hardister, aye. Representative Harrison?

REP. HARRISON: No.

THE CLERK: Representative Harrison, no.

Representative Hastings?

REP. HASTINGS: Aye.

THE CLERK: Representative Hastings, aye.

Representative Howard?

REP. HOWARD: Aye.

THE CLERK: Representative Howard, aye.

Representative Hunter?

REP. HUNTER: No.

THE CLERK: Representative Hunter, no.

Representative Hurley?

REP. HURLEY: Aye.

THE CLERK: Representative Hurley, aye.

Representative Johnson?


THE CLERK: Representative Johnson, aye.

Representative Jones?


THE CLERK: Representative Jones, aye.

Representative Jordan?

THE CLERK:  Representative Jordan, aye.
Representative Malone?
REP. MALONE:  Aye.
THE CLERK:  Representative Malone, aye.
Representative Michaux?
REP. MCHAUX:  No.
THE CLERK:  Representative Mchaux, no.
Representative Moore?
REP. MOORE:  No.
THE CLERK:  Representative Moore, no.
Representative Pierce?
REP. PIERCE:  No.
THE CLERK:  Representative Pierce, no.
Representative Reives?
REP. REIVES:  No.
THE CLERK:  Representative Reives, no.
Representative Willingham?
REP. WILLINGHAM:  No.
THE CLERK:  Representative Willingham, no.
Representative Speciale?
REP. SPECIALE:  No.
THE CLERK:  Representative Speciale, no.
Representative Rogers?
REP. ROGERS:  Aye.
THE CLERK:  Representative Rogers, aye.
Representative Saine?

REP. SAIN: Aye.

THE CLERK: Representative Saine, aye.

Representative Wray?

REP. WRAY: No.

THE CLERK: Representative Wray, no.

Representative Yarborough?

REP. YARBOROUGH: Aye.

THE CLERK: Representative Yarborough, aye.

Representative Torbett?

REP. TORBETT: Aye.

THE CLERK: Representative Torbett, aye.

Representative Lewis?

REP. LEWIS: Aye.

THE CLERK: Representative Lewis, aye.

Representative Dollar?

REP. DOLLAR: Aye.

THE CLERK: Representative Dollar, aye.

Representative Szoka?

REP. SZOKA: Aye.

THE CLERK: Representative Szoka, aye.

REP. SZOKA: Five out of 25 in the affirmative and 16 in negative. The motion passes.

Thank you all for your attendance today. I know we were gone a little long. Representative Jackson?
REP. JACKSON: If I could ask a question, Mr. Chairman, about next week?

REP. SZOKA: Going to be be directed to -- I yield the chair to Representative Lewis.

REP. LEWIS: The gentleman may state his inquiry.

REP. JACKSON: Yes, sir, Mr. Chairman. I was just wondering if we will go through the same process again when the senate map crosses over or if that will just be done on the floor or we'll have to bring it back through and do amendments and stuff like that? I'm just planning for next week. That's all.

REP. LEWIS: Thank you for the question, Representative Jackson. The House rules that a bill received from the Senate is heard in the House Committee, so yes, we will hear the Senate plan in this Committee next week. The Senate -- I do not know -- and I would state for the record that -- I know the speaker made the same comment yesterday. We have the court reporter here today -- that we did have -- we did have consultation with you and also with Representative Bell that in lieu of having a session tomorrow that the House would do both its second and third readings on Monday.
I don't know what the Senate has agreed to. I do not know if the plan will arrive today or if it will arrive on Monday, but as soon as it arrives, we'll refer it to Committee and we will hear the bill. And depending on the day it arrives, the House will either take up the -- the Senate plan on Tuesday and Wednesday or Wednesday and Thursday, depending on when it arrives. And that answer, of course, assumes that we don't do second and third on the same day. Are there further inquiries for the Chair?

REP. FLOYD: Question, Representative Lewis.

REP. LEWIS: What purpose -- the gentleman, Representative Floyd may state his inquiry?

REP. FLOYD: Inquire. So that may be a Tuesday and Wednesday session next week?

REP. LEWIS: There will absolutely -- there will absolutely be session on Tuesday and Wednesday of next week. I do not know if will take votes on two separate days. But, again, the goal is to have this ratified by the court deadline of September 1st, which is Friday. I think we'll -- if all goes to plan and it really does, we will beat the
court's deadline by one day.

REP. FLOYD: Thank you.

REP. LEWIS: Before we adjourn, I -- I do want to thank each and every one of you for your time today. I want to thank -- and I'm going to say this on the floor. The one thing that I think all of us can agree on, despite the divided votes, is how fortunate we are to -- I apologize -- to be served by great staff. This is a -- this has been a long day; for all our central staff, it's been a long week, for our sergeant-at-arms staff as well. So I will certainly thank them all on the server, but I think it was entirely appropriate to thank them from this -- from this chair as well.

Is there any further business for the Committee or any other inquiries to the chair? The chair sees no one seeking recognition. This Committee, having completed its business, stands adjourned.

(End of proceedings.)
STATE OF NORTH CAROLINA
COUNTY OF WAKE

CERTIFICATION OF TRANSCRIPT

This is to certify that the foregoing transcript of proceedings held on August 25, 2017, is a true and accurate transcript of the proceedings as transcribed by me or under my supervision. I further certify that I am not related to any party or attorney, nor do I have any interest whatsoever in the outcome of this action.

This 5th day of September, 2017.

[Signature]

Worley Reporting