

EX. 7

NORTH CAROLINA GENERAL ASSEMBLY

HOUSE REDISTRICTING COMMITTEE AND
SENATE REDISTRICTING COMMITTEE

TRANSCRIPT OF THE PROCEEDINGS

In Raleigh, North Carolina
Wednesday, July 26, 2017
Reported by Carol M. Smith

Worley Reporting
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1 SEN. HI SE: The committee will come to
2 order. Thank you, members of the Committee,
3 members of the public. I welcome you to our first
4 meeting of the year, joint meeting of the
5 Redistricting Committee. We're going to begin in
6 just a minute. We'll be hearing from
7 Representative Lewis first, and then potentially
8 from staff.

9 I will announce before we begin the House
10 Sergeant-at-Arms, identify those. Reggie Sills up
11 here at the front, Marvin Lee at the front as well,
12 David Leighton in the back, Mark Cone. From the
13 Senate side, Terry Barnhardt behind us, Tom
14 Burroughs, Steve McKaig and Becky McCreary --
15 Myrick, sorry. Thank you all for being with us
16 today, and the service you provide.

17 Without further ado, we're going to let
18 Representative Lewis do a brief presentation to the
19 Committee. I will also ask when we open for
20 questions and others, to let members know, we do
21 have a court reporter here today who will be doing
22 a verbatim transcript of the concept, so we are
23 asking that any time you're recognized by the Chair
24 to speak, that you would identify your name so that
25 we make sure we have that as part of the court

1 record. I think that will be -- get everything we
2 need.

3 Thank you. I will address -- a member
4 has brought it to my attention there are
5 individuals that have signs that are in here. That
6 is allowed; however, you may not use those signs to
7 obstruct the view of others, which would include
8 holding them up at others, and I will maintain
9 decorum within this meeting, and ask all members to
10 do so, and I will make sure that this meeting --
11 this Committee can conduct its business as Chair,
12 so without any further ado on that, Representative
13 Lewis?

14 REP. LEWIS: Thank you, Mr. Chairman, and
15 good afternoon. My name is David Lewis. I am the
16 Chair of the House Select Committee on
17 Redistricting. It's my pleasure to welcome you to
18 this joint meeting of the House and Senate
19 Redistricting Committees. I sincerely thank you
20 for being here today.

21 As you are aware, the General Assembly
22 will be redrawing legislative districts this year
23 to comply with a Court order. As we await further
24 guidance from the Court on how to proceed and how
25 this process should be conducted, we wanted to

1 convene today's meeting for organizational and
2 informational purposes.

3 If the Court allows us ample time to do
4 so, we intend to include as much public input as
5 possible, and as much input from the Committees,
6 and ultimately, the full General Assembly will
7 deliberate together regarding these new districts.

8 Tomorrow, the three-judge panel with
9 jurisdiction over our case will meet to consider
10 the timeline for the redistricting process. Our
11 attorneys will advocate on behalf of the General
12 Assembly for a timeline that would allow for a
13 redistricting session to occur in early November.

14 Between now and then, Senator Hise and I
15 envison a process that would include these
16 Committees meeting to discuss and adopt criteria
17 for drawing new maps, and ultimately to make
18 recommendations to the General Assembly regarding
19 new districts in the House and Senate redistricting
20 plans.

21 We would anticipate that public hearings
22 would be conducted throughout this process.
23 Committee members can expect at least three sets of
24 these public hearings to occur in August,
25 September, and October, with the exact date and

1 Location to be determined by these Committees.

2 For informational purposes, you have
3 three sets of documents in front of you. The first
4 is the county groupings for both House and Senate
5 plans that were filed on behalf of the defense in
6 the Covington case. This case is available on the
7 NCGA redistricting website.

8 These may or may not turn out to be the
9 final county groupings. There will be a time for
10 your comments as well as comments from the public
11 on county grouping plans that will be required to
12 be used in the redistricting process in order to
13 comply with the Stephenson decision.

14 The second set of documents are
15 redistricting plans that were prepared by Common
16 Cause. In full disclosure, that organization is
17 currently involved as Plaintiffs in litigation that
18 has been filed against the General Assembly. To
19 our knowledge, these are the only redistricting
20 plans that have been released and submitted to the
21 public in this process thus far.

22 These maps are provided for informational
23 purposes only today. One thing that you will
24 notice is the county groupings used to prepare the
25 Common Cause maps are the same as those that were

1 filed in the legal case.

2 For those of you who may be new to
3 looking at these maps, the dark blue lines
4 illustrate the county groupings. Again, you do
5 have one for both the House and the Senate.

6 The population numbers that we will be
7 required to use are from the 2010 Census. These
8 are the numbers that will be used to construct new
9 district highlights during this process. For your
10 information, an ideal Senate district is made up of
11 190,710 people, and an ideal House district is made
12 up of 79,462 people.

13 I want to let you know that two e-mails
14 have been set up for receiving public comments.
15 They are 2017houseredistricting@ncleg.net, and
16 2017senateredistricting@ncleg.net. Additionally, a
17 web page has been set up for public comment. A
18 link to that page can be found on the website at
19 ncleg.net. It will go live today when this joint
20 committee adjourns. A folder will be made so that
21 each member of the General Assembly will be enabled
22 to review the public comment that is collected via
23 our website.

24 Mr. Chairman, with your permission, I'd
25 like to ask you to recognize Erika Churchill of the

1 central staff to explain to members the resources
2 that are available to them through the General
3 Assembly to help during the redistricting process.

4 MS. CHURCHILL (STAFF): Thank you, Mr.
5 Chair. For members of the General Assembly, there
6 are multiple avenues of resources available to you.
7 There is a terminal that you can use to draw maps
8 if you choose to do so. You will just simply need
9 to schedule an appointment in a block -- blocks of
10 up to two hours. You would -- if you decide you
11 want to do that, please contact Peter Capriglione
12 to set up a time, and the location of that
13 particular terminal is in Room 213 of the
14 Legislative Office Building.

15 You can also ask for any drafting or
16 information request of the central staff, and we
17 will assist you with that. Contact myself or Karen
18 Cochrane-Brown, and we'll get that assigned and
19 work with you.

20 Please remember that for members of the
21 General Assembly, upon enactment of a House,
22 Senate, or North Carolina Congressional map, all
23 drafting information requests to any legislative
24 employee, including the partisan and nonpartisan
25 staff, do automatically become public record. Each

1 member of the General Assembly is the custodian of
2 their own public records, so if you choose to draw
3 a map using the member terminal, you will be
4 responsible for maintaining a copy of that.

5 For the central staff and for the rest of
6 the legislative employees, we will also maintain
7 copies of everything that is done, and if a public
8 records request is issued, we will respond
9 accordingly.

10 SEN. HISE: Representative Lewis?

11 REP. LEWIS: Thank you, Mr. Chair. Mr.
12 Chairman, again, I'd like to thank everyone for
13 their time in being here today and your willingness
14 to serve on these committees. We will be back in
15 touch with you soon to offer additional information
16 and to let you know the schedule for additional
17 meetings. With that, Mr. Chairman, if there are
18 inquiries, I'd be happy to try and take them.

19 SEN. HISE: I will now open -- members of
20 the Committee who would like to -- please, if you
21 are asking a question, please identify yourself for
22 our court reporter. Representative Jackson?

23 REP. JACKSON: Thank you, Mr. Chairman.
24 Darren Jackson, Representative. Representative
25 Chairman Lewis, you mentioned the Common Cause

1 maps, and in looking at the expert map that was
2 submitted in federal court, it's a -- it's colored
3 differently than it was when submitted to federal
4 court, and so my question is basically this. Has
5 there been a determination made whether every
6 district in the state needs to be redrawn, or just
7 those in clusters with affected districts?

8 REP. LEWIS: Thank you for that question,
9 Representative Jackson. We are effectively waiting
10 for guidance from the Court on that matter. It
11 would be really premature for me to be able to
12 answer that at this point.

13 SEN. HISE: Other questions from members
14 of the Committee? Senator Clark?

15 SEN. CLARK: Thank you, Mr. Chairman.
16 Mr. Chairman --

17 SEN. HISE: Please identify yourself for
18 the court reporter.

19 SEN. CLARK: Senator Clark, Senate
20 District 21. Mr. Chairman, would you have the
21 staff provide the Committee members with a 2016
22 election stat pack for the Common Cause
23 redistricting plan that we have before us here?

24 REP. LEWIS: Mr. Chairman?

25 SEN. HISE: Erika Churchill.

1 MS. CHURCHILL: Senator Clark, we can
2 prepare that and have that distributed to the
3 Committee members.

4 SEN. CLARK: Thank you. When can we
5 expect to have that?

6 MS. CHURCHILL: We will shoot for this
7 afternoon, but it may be tomorrow.

8 SEN. CLARK: Thank you.

9 SEN. HISE: Follow-up?

10 SEN. CLARK: Yes. Mr. Chairman, it was
11 indicated that the members will be -- I mean, it
12 wasn't indicated that we will be able to, so my
13 question is, will the members be able to submit
14 recommended criteria for use in developing the maps
15 that we will be considering within this Committee?

16 REP. LEWIS: Mr. Chairman, I'd like to
17 respond to that. The answer is yes, sir, that is
18 our intent, is for this Committee to -- to discuss
19 and debate and adopt criteria. We also hope to
20 take public input on what that criteria should be,
21 and it will be that criteria that will be used to
22 produce the maps.

23 SEN. HISE: I've got a Representative
24 pointing to someone over here. Next
25 Representative?

1 SEN. CLARK: Follow-up?

2 SEN. HI SE: Oh, Senator Clark. I'm
3 sorry.

4 SEN. CLARK: Yes. At what point will we
5 be allowed to submit criteria that we recommend for
6 consideration by this Committee, and in what form?

7 REP. LEWIS: Thank you for that question,
8 Senator Clark. The answer is, you can certainly
9 submit it as early as right now. I would encourage
10 you to either use one of the two e-mail addresses
11 that I provided earlier just to keep up with it, or
12 you're certainly welcome to e-mail either Chairman
13 Hise or me, and we'll make sure that it is
14 distributed to the members, and then when the
15 criteria is actually discussed at the Committee, we
16 will debate it then.

17 SEN. CLARK: Thank you, Mr. Chairman.

18 SEN. HI SE: Representative Michaux?

19 REP. MI CHAUX: Representative Michaux. A
20 couple of questions, Representative Lewis, if you
21 don't mind. You indicated that these maps we have
22 here are the only ones that have been released for
23 public consumption. Are there any other maps that
24 have not yet been released? For instance, anything
25 that has been drawn by Dr. Hofeller or anybody else

1 that you know of that have not yet been released?

2 REP. LEWIS: None that I know of, sir.

3 REP. MICHAUX: Another question, Mr.
4 Chairman.

5 SEN. HISE: Follow-up?

6 REP. MICHAUX: Yes, sir. Mr. Chairman,
7 we have known for some time now that the House and
8 Senate districts that were drawn were
9 unconstitutional, and here we are in August now
10 sitting this Committee. Can you tell us why the
11 special session called by the Governor to handle
12 the matter was not -- was overruled and was not put
13 into session so we could start this process prior
14 to this time?

15 REP. LEWIS: Representative Michaux, as
16 best I can recall -- I may need to consult the
17 House Journal on that, but as best I can recall,
18 the call from the Governor was issued while the
19 General Assembly was already in session; therefore,
20 there was no need for an extraordinary -- there was
21 no extraordinary circumstance requiring us to be
22 called back.

23 As you know as one of the most senior and
24 distinguished members of this body, the
25 redistricting process is an extremely disruptive

1 and time-consuming process. The order to redraw
2 the maps that you refer to ordered us not to use
3 the 2011 plans again. It is certainly our intent
4 to fully comply with the court order ordering us to
5 redraw in our next session. We are in our next
6 session at this time.

7 Further, when the final ruling from the
8 Supreme Court came out -- and I hope you will bear
9 with me. I don't remember the exact date, but it
10 was in early June, and we were in the final weeks
11 of the budget negotiations, and we felt, "we"
12 meaning the leadership, felt that it would make
13 more sense to go ahead and finish the public
14 business of passing a budget and the other bills,
15 and then be able to turn our attention to this very
16 important matter.

17 Again, it is contemplated that we can
18 have these maps drawn by November. That would give
19 the Court time to review the maps if it chose to,
20 and then people would be able to file, as is the
21 current law, starting in February of next year.

22 REP. MICHAUX: Follow-up, Mr. Chair?

23 SEN. HISE: Follow-up.

24 REP. MICHAUX: Mr. Lewis, I agree with
25 you that it was in June that the Court made the

1 final determination that the districts were
2 unconstitutional as drawn, and that basically we as
3 a body now are operating with an unconstitutional
4 makeup. Did you ever consider that in terms of
5 trying to move forward with redistricting to put us
6 back in a constitutional manner?

7 REP. LEWIS: Representative Michaux, you
8 are a much more experienced legislator than I am,
9 and you are an attorney, and more experienced in
10 these matters than I am.

11 To the best of my knowledge, the courts
12 have held that the legislative bodies that are
13 constituted -- that are constituted, that are made
14 up, are empowered to exercise all the authorities
15 granted to them, so I believe that the members
16 sitting in this room are consti -- are able to
17 proceed with the business of drawing the maps, and
18 it is our intent to do so to comply with the order
19 of the Court.

20 SEN. HISE: Representative Farmer-
21 Butterfield? Please introduce yourself.

22 REP. FARMER-BUTTERFIELD: Thank you, Mr.
23 Chair. Representative Farmer-Butterfield. A
24 couple of questions; one is a little bit of
25 history.

1 In 2002, we redrew the lines for the
2 districts in about two weeks, and that was ordered
3 by the Courts, and it was probably more difficult
4 then because we had to go through the Justice
5 Department for clearance due to the Voting Rights
6 Act, and with the technology we have now, I'm
7 wondering why it would take so long to get this
8 done.

9 REP. LEWIS: Thank you for that question,
10 Representative Farmer-Butterfield. I think it's
11 important to note that neither you nor I were
12 seated in 2002, so any direct evidence of what went
13 on there, we would have read in the press like
14 anyone else; however, I think it is important to
15 note that if you're going to get public input and
16 allow for the true deliberation of an issue like
17 this, that it just takes time to do it.

18 The amount of time that we have proposed,
19 of course, is at the discretion of the Court. The
20 Court may very well change that, but it is -- it is
21 contemplated that we will need time to get input
22 from the public on what the criteria should be, and
23 then once that criteria is established, to get
24 input on how the maps themselves should be drawn,
25 and then get -- then get input on if the maps

1 should be enacted.

2 REP. FARMER-BUTTERFIELD: Follow-up?

3 SEN. HISE: Follow-up.

4 REP. FARMER-BUTTERFIELD: I wasn't here.

5 Like you said, you and I came at the same time;
6 however, I did follow it because I was here as a
7 government relations person with another
8 organization, so I was in that. However, my
9 understanding -- and staff might be able to answer
10 this -- is that there is a statute now on the books
11 that relates to this. It's 120-3.4, that reflects
12 that in statute, so I just wanted to indicate that.

13 REP. LEWIS: So your question is to have
14 staff recite Section 123.4, if I --

15 REP. FARMER-BUTTERFIELD: 120-3.4.

16 SEN. HISE: 120-3.4. We'll read what
17 the statute is without the context.

18 REP. LEWIS: Mr. Chair, while staff is
19 preparing to read that, could I make a quick
20 response?

21 SEN. HISE: Sure.

22 REP. LEWIS: Representative Farmer-
23 Butterfield, you're very right to point out that
24 statute. I will point out that it is my reading of
25 that statute that it says that state courts must

1 give at least two weeks, so the two weeks is a
2 minimum. It is not necessarily a guideline. It's
3 not anything other than a state statute that
4 applies to state courts. As you know, we're here
5 today because of the federal court ruling.

6 REP. FARMER-BUTTERFIELD: Follow-up?

7 SEN. HISE: We're still waiting on the
8 staff finding that statute.

9 MS. CHURCHILL: Mr. Chairman, I'm ready.
10 The correct citation is 120-2.4. It has two
11 subsections. Subsection (a), "If the General
12 Assembly enacts a plan apportioning or
13 redistricting State legislative or congressional
14 districts, in no event may a court impose its own
15 substitute plan unless the court first gives the
16 General Assembly a period of time to remedy any
17 defects identified by the court in its findings of
18 fact and conclusions of law. That period of time
19 shall not be less than two weeks. In the event the
20 General Assembly does not act to remedy any
21 identified defects to its plan within that period
22 of time, the court may impose an interim
23 districting plan for use in the next general
24 election only, but that interim districting plan
25 may differ from the districting plan enacted by the

1 General Assembly only to the extent necessary to
2 remedy any defects identified by the court."

3 Subsection (b), "Notwithstanding any
4 other provision of law or authority of the State
5 Board of Elections under Chapter 163 of the General
6 Statutes, the State Board of Elections shall have
7 no authority to alter, amend, correct, impose, or
8 substitute any plan apportioning or redistricting
9 state legislative or congressional districts other
10 than a plan imposed by a court under this section
11 or a plan enacted by the General Assembly."

12 SEN. HISE: Thank you. Follow-up?

13 REP. FARMER-BUTTERFIELD: Yes. Since we
14 are drawing remedial maps, and have a lot of
15 information in place already, how long do you
16 project this will take?

17 REP. LEWIS: Thank you for that question,
18 Representative Farmer-Butterfield. As I think I
19 said in my earlier remarks, we would hope by mid-
20 November.

21 SEN. HISE: Representative? Please
22 identify yourself.

23 REP. GILL: Representative Rosa Gill. I
24 think I heard you correct in your opening remarks
25 to say that the website would have the calendar for

1 the hearings. Is that correct?

2 REP. LEWIS: I don't believe I said that
3 in my opening remarks, Representative, but we will
4 certainly have the dates once this Committee
5 establishes them.

6 REP. GILL: Follow-up?

7 SEN. HISE: Follow-up.

8 REP. GILL: Will we have a map -- will
9 the Committee have a map, proposed map, prior to
10 any of the hearings?

11 REP. LEWIS: Thank you for that question.
12 The Chairs would contemplate that there may be maps
13 coming in from various members at any time, and as
14 the staff has already alluded, there are resources
15 for members to use in producing their maps. It
16 would be the Chairs' preference, Chairs, plural,
17 preference, that this Committee, along with input
18 from the public, develop criteria for drawing the
19 maps and use that criteria in drawing the maps, so
20 the answer, in long form, I suppose, would be we
21 would take Committee and public input on what the
22 criteria should be, draw the maps, and then take
23 Committee and public input on the maps themselves.

24 REP. GILL: Thank you.

25 SEN. HISE: Any other questions or

1 comments? Senator Van Duyn, please identify
2 yourself.

3 SEN. VAN DUYN: Senator Terry Van Duyn,
4 District 49. Thank you, Mr. Chair, and thank you,
5 Representative Lewis. Excuse me. You mentioned in
6 your opening remarks that the clustering that we
7 see in that one in Map 3 may change. What are the
8 circumstances that you think might -- excuse me --
9 dictate a change?

10 REP. LEWIS: Thank you very much,
11 Senator, for that question. Let me try to explain
12 a little bit further. When the defendants in the
13 Covington case, which was -- when the defendants in
14 the Covington case, the General Assembly,
15 responded, the consultant that we used produced
16 this grouping map that you see before you as his
17 best attempt to comply.

18 What I was trying to make clear is this
19 may very well be how the counties are grouped, but
20 I have not personally reviewed it, and the
21 Committee has not personally reviewed it to see if
22 there is a different way to group the counties.

23 SEN. VAN DUYN: Follow-up?

24 SEN. HI SE: Follow-up.

25 SEN. VAN DUYN: In my understanding, that

1 was Tom Hofeller. Will he be involved in this
2 process again?

3 REP. LEWIS: Yes.

4 SEN. HISE: Further questions or comments?
5 Senator Smith-Ingram?

6 SEN. SMITH-INGRAM: Thank you, Mr. Chair.
7 I just want to reiterate that the --

8 SEN. HISE: Please identify yourself
9 before you start.

10 SEN. SMITH-INGRAM: Yes. Senator Erica
11 Smith-Ingram, Senate District 3, eight counties in
12 eastern North Carolina. Representative Lewis, can
13 we make sure that when we have our hearings that we
14 make them geographically diverse and reachable? In
15 the last hearings that we held regarding
16 congressional redistricting, there were very
17 limited opportunities in eastern North Carolina to
18 attend those hearings.

19 REP. LEWIS: Thank you for that question,
20 Senator. Let me say that I think that's very
21 important. I think that's very important that we
22 do indeed seek as much public input as we can. I
23 think geographic diversity is very important, and I
24 think frankly, we did a good job of that in 2011.
25 The two-week time span in 2016 made it a little bit

1 harder to do, but I will welcome your input and
2 advice on where you would suggest that we receive
3 public input. We usually work with the community
4 colleges, but I would welcome your advice on that.

5 SEN. HISE: Representative Brockman?
6 Please identify yourself.

7 REP. BROCKMAN: Representative Cecil
8 Brockman, from Guilford County. Representative
9 Lewis, the last time we drew the congressional
10 districts, you said that it was the intent that,
11 you know, this body would draw parts and districts
12 that were in favor of the Republican majority.
13 Will that be the intent this time as we start to
14 redraw these maps, to have these maps be majority
15 Republican again?

16 REP. LEWIS: Well, thank you for that
17 question, Representative. The response to that
18 would be first of all to point out that the
19 criteria that was adopted by the Committee did
20 include the 10-3 that you refer to. It will be the
21 prerogative of this Committee to determine what the
22 criteria are in the drawing of the maps.

23 SEN. HISE: Senator Van Duyn?

24 SEN. VAN DUYN: Thank you. Terry Van
25 Duyn, District 49. Will Mr. Hofeller be available

1 to Democrats and maybe even the Black Caucus to
2 consul t?

3 REP. LEWIS: Dr. Hofeller is working as a
4 consul tant to the Chairs with the approval of the
5 Speaker and the President Pro Tem of the Senate, so
6 the short answer to your question is no. The long
7 answer is, if the -- the Speaker and the President
8 Pro Tem have indicated that the Minority Leader of
9 the Senate and the Minority Leader of the House in
10 working together can certainly request and have
11 resources made available to them to hire map
12 drawers if they see fit to do so.

13 SEN. VAN DUYN: Follow-up?

14 SEN. HISE: Follow-up.

15 SEN. VAN DUYN: And are there any other
16 consul tants that you expect to be using during this
17 process?

18 REP. LEWIS: Thank you for that question.
19 Ma'am, there are none that I intend to use.

20 SEN. VAN DUYN: Thank you.

21 SEN. HISE: Senator Clark?

22 SEN. CLARK: Thank you, Mr. Chair.

23 Senator Clark, Senate District 21. Mr. Chair, is
24 it the expectation that the Committee Chairs will
25 use any type of analytical tools to assess the

1 extent of the partisan symmetry that will exist in
2 the maps that we plan to enact as part of this
3 process?

4 REP. LEWIS: Thank you for that question,
5 Senator Clark. The intent of the Chairs is to
6 adopt criteria in conjunction with the Committee,
7 so if that's one of the criteria that the Committee
8 agrees to use, then it will be used. If it's not,
9 then it won't.

10 SEN. CLARK: Thank you, Mr. Chairman.

11 SEN. HISE: Representative Pierce?

12 REP. PIERCE: Representative Garland
13 Pierce, House District 48. Representative Lewis,
14 let me ask you a question. There are some folks
15 here who could probably answer, but were there
16 certain districts drawn years ago that were
17 considered minority districts that a minority --
18 civil rights districts, or districts that were
19 drawn that a minority person should have the
20 ability to win in? I might not be stating that
21 right, but were there districts drawn for minority
22 districts? Am I asking the question right? I
23 don't know.

24 REP. LEWIS: Thank you for the question,
25 Representative Pierce. I think you asked it, so I

1 hope I can give you an efficient answer.

2 During the 2011 process, I think the
3 Committee at the time, the Chairs, outlined the
4 criteria that was used, and that was one of the
5 criteria that was used at the time, but I would
6 reiterate that it is going to be this Committee
7 that determines the criteria with which the maps
8 will be drawn going forward.

9 REP. PIERCE: Thank you, Representative
10 Lewis.

11 SEN. HISE: Any other questions? Senator
12 Smith-Ingram?

13 SEN. SMITH-INGRAM: Thank you, Mr. Chair.
14 Representative Lewis, as relates to the public
15 hearings, will we have maps available, all versions
16 of maps available to the public, or will we just be
17 taking their remarks?

18 REP. LEWIS: Thank you for that question,
19 Senator. It would be my desire that we would
20 receive input from the public on what the criteria
21 would be. We as a Committee, or perhaps individual
22 members of the Committee, would produce maps that
23 the public could view and then have the chance to
24 comment on those maps, on actual maps.

25 SEN. SMITH-INGRAM: Follow-up?

1 SEN. HI SE: Follow-up.

2 SEN. SMITH-INGRAM: Will Mr. Hofeller or
3 other analysts be available at these public
4 hearings in case there are questions from the
5 public regarding the maps?

6 REP. LEWIS: Well, as you know, Senator,
7 a public hearing is an opportunity for us to
8 listen, so I would imagine that Dr. Hofeller may
9 very well listen to the input that comes up, but
10 I've never known a public hearing that involved a
11 question-and-answer.

12 SEN. SMITH-INGRAM: Last follow-up, Mr.
13 Chair?

14 SEN. HI SE: Final follow-up.

15 SEN. SMITH-INGRAM: I understand that we
16 will be receiving public input and listening to
17 what the public has to share, but in also
18 empowering the public, will we be able to put the
19 maps on the website prior to the hearing so that
20 they can look at the maps, review the maps
21 themselves? That would formulate a lot more
22 discussion, I would think.

23 REP. LEWIS: Thank you for that question,
24 and the answer is yes, we will get the maps out so
25 that folks can -- can indeed see them.

1 SEN. HI SE: Just to follow up on that as
2 well, it's important to know we will also have
3 public terminals available for members of the
4 public that wish to draw or construct a map.
5 Representative Pierce again?

6 REP. PIERCE: Representative Lewis, let
7 me ask you a question. I know I probably can get
8 that information. Representative Pierce. If you
9 could ask staff if they don't mind, could they give
10 us the breakdown of Democrats, Republicans in most
11 of the proposed new districts? Is that something
12 possibly that they could do, or do I need to do
13 that on my own? I mean on the proposed going
14 forward. Excuse me.

15 SEN. HI SE: Any other questions?
16 Representative Michaux?

17 REP. MI CHAUX: Mr. Chairman --

18 REP. LEWIS: Mr. Chairman, just because
19 the court reporter is recording, I just wanted to
20 be clear that Representative Pierce withdrew what
21 he asked.

22 REP. MI CHAUX: Mr. Chairman,
23 Representative Michaux again. Representative
24 Lewis, we are now awaiting orders from the Court as
25 to how this redistricting matter is to be carried

1 out; is that correct?

2 REP. LEWIS: Yes, sir.

3 REP. MICHAUX: Thank you.

4 SEN. HISE: Representative Farmer-
5 Butterfield?

6 REP. FARMER-BUTTERFIELD: Thank you, Mr.
7 Chair. In -- I think it was what, 2011, we had the
8 public hearings available through closed-circuit
9 tv, maybe, at the community colleges, and that
10 seemed to have been effective. Will that be
11 utilized again?

12 REP. LEWIS: Thank you for that question.
13 That is indeed our intent.

14 SEN. CLARK: Mr. Chairman?

15 SEN. HISE: Senator Clark?

16 SEN. CLARK: Thank you, Mr. Chairman.
17 Senator Clark, District 21. You have indicated
18 that terminals will be available for the public to
19 construct maps and review maps. At those
20 terminals, will analytical tools always be -- also
21 be available for the public to analyze the
22 performance of those district maps using, I guess,
23 sample election data?

24 REP. LEWIS: Senator Clark, thank you for
25 that question. Please understand I'm trying to

1 answer it as completely as I can. It -- yes, there
2 will be political data that is there. I don't know
3 what exact kind of analytical data you're referring
4 to, so I don't know that I can answer what you're
5 asking.

6 SEN. HISE: I'll just add that we'll
7 produce what we call a stat pack consistent with
8 the criteria established by the Committee.

9 SEN. CLARK: Follow-up?

10 SEN. HISE: Follow-up.

11 SEN. CLARK: Will they be able to do
12 things such as perform efficiency gap calculations
13 or mean-median difference calculations or member
14 gaps for individual stats to be able to determine
15 the extent of partisan -- partisan -- shall I say
16 gerrymandering within the maps, or likelihood of?

17 REP. LEWIS: I don't know, sir. I know
18 that the data that is produced allows individual
19 members to analyze it in the way that they see fit.
20 You can certainly request various analysis that you
21 referred to. I'm sure that Senate staff can
22 provide that as well. Whether or not the computer
23 will automatically be able to do it, I'm just not
24 intimately familiar with the computer software.

25 SEN. CLARK: Follow-up, Mr. Chair? Can

1 we count it as a request on our part that
2 efficiency gap calculations be performed for all
3 maps that we generate in this General Assembly body
4 that might be considered for enactment?

5 REP. LEWIS: Let me do this if I could,
6 Senator Clark. I personally have no issue with
7 that. I think that would be best saved for our
8 next meeting, when we discuss criteria.

9 SEN. CLARK: Thank you, Mr. Chairman.

10 SEN. HISE: Any other questions or
11 comments?

12 (No response.)

13 SEN. HISE: Hearing none, thank you,
14 Representative Lewis, for coming in. Thank you,
15 members of the Committee.

16 (WHEREUPON, THE MEETING WAS CONCLUDED AT 2:13 P. M.)

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STATE OF NORTH CAROLINA

COUNTY OF WAKE

CERTIFICATE

I, Carol M. Smith, a duly commissioned Notary Public in and for the State of North Carolina, do hereby certify that on July 26, 2017, this proceeding was held before me, this proceeding being reported by me verbatim and then reduced to typewritten form under my direct supervision; that the foregoing is a true and correct transcript of said proceedings to the best of my ability and understanding; that I am not related to any of the parties to this action; that I am not interested in the outcome of this case; that I am not of counsel nor in the employ of any of the parties to this action.

IN WITNESS WHEREOF, I have hereto set my hand, this the 4th day of August, 2017.


Notary Public

Carol M. Smith
Notary Number
19943320153