EXHIBIT C

“February 17, 2016 North Carolina General Assembly Joint Committee on Redistricting Transcript”
NORTH CAROLINA GENERAL ASSEMBLY
JOINT COMMITTEE ON REDISTRICTING

TRANSCRIPT OF THE PROCEEDINGS

In Raleigh, North Carolina
Wednesday, February 17, 2016
Reported by Jennifer C. Carroll, RMR, CRR

Worley Reporting
P.O. Box 99169
Raleigh, NC 27624
919-870-8070
(The proceedings were called to order at 4:08 p.m.)

CHAIRMAN RUCHO: Can we have the Select Committee on Congressional Redistricting come to order? Would everyone please take their seat.

We've got a few bits of housekeeping to take care of prior to beginning the -- the map presentations. Hopefully, we have a number of different maps that will be available for folks to take a look at.

And Senator Apodaca asked me if he was going to be able to have dinner and be able to get to the Carolina-Duke game. And I said we're going to ask Senator Blue, Senator McKissick, and Representative Michaux what -- if they think we've got a shot at that.

SEN. McKISSICK: I don't have any extra tickets, I'm sorry.

SEN. APODACA: That's always his answer.

CHAIRMAN RUCHO: Okay.

SEN. McKISSICK: It depends.

CHAIRMAN RUCHO: Okay. Well, we had a very informative meeting yesterday. We were able to get some criteria established, and so we're going to go ahead and begin today with a -- well,

let me, first of all, introduce the sergeants-at-arms who help us make this a -- a successful and efficiently run meeting. From the House sergeant-at-arms, I have Reggie Sills, Marvin Lee, David Layton, Terry McGraw; and from the Senate sergeant-at-arms, I have Dale Huff, Ed Kessler, and Hal Roach.

Thanks very much for helping us.

Then the next item will be a roll call for attendance.

And, Mr. Clerk, would you proceed with the roll call.

And please say it loud enough so we know you're here or not here.

THE CLERK: Okay. Starting with the House: Lewis.

REP. LEWIS: Here.

THE CLERK: Jones?

REP. JONES: Here.

THE CLERK: Brawley?

REP. BRAWLEY: Here.

THE CLERK: Cotham?

REP. COTHAM: Here.

THE CLERK: Davis?

REP. DAVIS: Here.

THE CLERK: Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: Here.

THE CLERK: Hager?

REP. HAGER: Here.

THE CLERK: Hanes?

REP. HANES: Here.

THE CLERK: Hardister?

REP. HARDISTER: Here.

THE CLERK: Hurley?

REP. HURLEY: Here.

THE CLERK: Jackson?

REP. JACKSON: Here.

THE CLERK: Johnson?

REP. JOHNSON: Here.

THE CLERK: Jordan?

REP. JORDAN: Present.

THE CLERK: McGrady?

REP. McGRADY: Here.

THE CLERK: Michaux?

REP. MICHAUX: Here.

THE CLERK: Moore?

REP. MOORE: Present.

THE CLERK: Stam?

REP. STAM: Here.

THE CLERK: Stevens?

REP. STEVENS: Here.

THE CLERK: Dixon?

REP. DIXON: Here.

CHAIRMAN RUCHO: Okay.

THE CLERK: Now, the Senate.

CHAIRMAN RUCHO: Senate.

THE CLERK: Rucho?

CHAIRMAN RUCHO: Here.

THE CLERK: Apodaca?

SEN. APODACA: Here.

THE CLERK: Barefoot?

SEN. BAREFOOT: Here.

THE CLERK: Blue?

SEN. BLUE: Here.

THE CLERK: Brown?

SEN. BROWN: Here.

THE CLERK: Clark?

SEN. CLARK: Present.

THE CLERK: Ford?

(No response.)

THE CLERK: Harrington?

SEN. HARRINGTON: Here.

THE CLERK: Hise?

SEN. HISE: Here.

THE CLERK: Jackson?
**Joint Redistricting Committee 2_17_16**  
**N.C. General Assembly Extra Session on Redistricting 2016**  
**Worley Reporting**  
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<td>SEN. JACKSON: Here.</td>
<td>And Senator McKissick?</td>
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<td>THE CLERK: Lee?</td>
<td>SEN. MCKISSICK: Not at this time.</td>
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<td>SEN. LEE: Here.</td>
<td>CHAIRMAN RUCHO: Okay. So let me ask:</td>
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<td>THE CLERK: McKissick?</td>
<td>Are there any members of the committee that have</td>
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<td>SEN. MCKISSICK: Here.</td>
<td>maps that they would like to offer as far as</td>
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<td>THE CLERK: Randleman?</td>
<td>having an opportunity to present them today so</td>
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<td>SEN. RANDLEMAN: Here.</td>
<td>that their input can be taken by this committee?</td>
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<td>THE CLERK: Sanderson?</td>
<td>What we plan to do today is submit some</td>
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<td>SEN. SANDERSON: Here.</td>
<td>maps -- or a map, take a look at it, debate it,</td>
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<td>THE CLERK: Smith?</td>
<td>approve it, so that the General Assembly can move</td>
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<td>SEN. SMITH: Here.</td>
<td>forward when the special session is called, and we</td>
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<td>THE CLERK: Smith-Ingram?</td>
<td>can go ahead and achieve what is the goal of</td>
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<td>(No response.)</td>
<td>complying with the federal court.</td>
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<td>THE CLERK: Wade?</td>
<td>Okay. That being said, then let's go</td>
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<td>SEN. WADE: Here.</td>
<td>ahead and -- Representative Blue -- excuse me,</td>
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<td>THE CLERK: Wells?</td>
<td>Representative Lewis, you'll be ready to explain</td>
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<td>SEN. WELLS: Here.</td>
<td>the maps, and I think the sergeant-at-arms can</td>
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<td>CHAIRMAN RUCHO: Okay. We are ready to</td>
<td>probably start passing them out with the stat</td>
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<td>begin our meeting. And again, there aren't very</td>
<td>packs that were decided upon yesterday during the</td>
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<td>many opening remarks. We look forward to moving</td>
<td>establishment of the criteria that -- upon which</td>
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<td>forward in an effort to comply with the</td>
<td>these maps were drawn.</td>
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<td>three-judge panel's direction as to redrawing some</td>
<td>Say it again.</td>
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<td>Congressional district maps and the Congressional</td>
<td>MS. CHURCHILL: They have not arrived</td>
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<td>districts.</td>
<td>from the print shop yet. They are on their way.</td>
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<tr>
<td>Again, as you might expect, we still</td>
<td>CHAIRMAN RUCHO: Okay. Let's wait a</td>
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Believe that the enacted maps are fair, legal, and constitutional that has -- as been validated by a number of North Carolina courts. But under that circumstance, we are following the direction of the three-judge panel from the Middle District, and so that's what we're going to do.

The first part that I would like to request -- and -- and yesterday, if you remember correctly, we authorized $25,000 for each, majority and minority, side to draw maps. And I will -- I will ask --

(Cell phone ringing.)

CHAIRMAN RUCHO: I don't ever do that to my wife. But I did.

I will ask that -- we will first ask Senator Blue: Do you have any maps that you are planning to present today?

SEN. BLUE: Not at present.

CHAIRMAN RUCHO: Not at the present.

Okay.

Representative Jackson, I think you were --

Representative Michaux, do you?

REP. MICHAUX: Not yet.

CHAIRMAN RUCHO: Not yet. Okay.

---

Little bit. They're on their way from the print shop as we speak. And so if we'll stay at ease for a few moments, and as soon as they come, then we will go ahead and distribute them out so that you'll have a chance to look at them. And so --

Representative Lewis will explain the map. So stand at ease, please.

(Proceedings are held at ease.)

CHAIRMAN RUCHO: Members of the Committee, just for your knowledge, you'll be getting some hard copies now, and at the end of this meeting we will have them online with the same documentation that you will be receiving in -- upon arrival.

SEN. APODACA: Mr. Chairman, housekeeping matter, if we could.

CHAIRMAN RUCHO: Say that again.

SEN. APODACA: A housekeeping matter, if we might.

CHAIRMAN RUCHO: Housekeeping, yes.

SEN. APODACA: Yes. When we call the roll, could we call the Upper Chamber first instead of the House? It seems like that would be more appropriate.

REP. MICHAUX: I thought that was already
being done.

CHAIRMAN RUCHO: Senator Apodaca, I think you should have learned your lesson when Representative Michaux already called you a lame duck. So...

But then again, that's the nicest thing that anybody has ever called Senator Apodaca. So...

SEN. APODACA: In 14 years, that's the nicest thing.

REP. MICHAUX: I called you one, too.

CHAIRMAN RUCHO: I'm honored.

Sergeant-at-arms, will you please let me know when the maps are passed out so we can move forward.

Representative Lewis, before he makes his presentation, wants me to let you know that these are probably some of the most -- some of the best maps that's been out in 40 years. So...

At least 40?

REP. LEWIS: Four.

CHAIRMAN RUCHO: Four?

REP. LEWIS: Four.

CHAIRMAN RUCHO: Okay, are we all set?

Does everyone in -- on the committee have a copy of the map and the statistics?

All right. Then let's -- let's quiet down so we can get this done.

Representative Lewis, would you be kind enough to present the maps for us?

REP. LEWIS: Thank you, Mr. Chairman.

Members, good afternoon. Yesterday, this committee approved seven criteria for the 2016 contingent Congressional redistricting, and a map was produced in accordance with that criteria. While I am happy to take questions from the committee, first I would like to take a moment to walk through the criteria and discuss how this map addresses each of the criteria.

First, equal population: All these districts are drawn with either 7,000 -- pardon me. All these districts are drawn with either 733,499 persons or 733,498 total persons. This is as equal -- this is as equal as practical and in accordance with federal law.

Contiguity: All the areas in every district are comprised of contiguous territory.

Political data: The stat report show which election results were used in building these districts. Race was not considered and is not present on these reports.

Partisan advantage: We believe this map will produce an opportunity to elect ten Republican members of Congress. But make no mistake, this is a weaker map than the enacted plan in that respect.

The 12th District: This map does away with the serpentine 12th District that dates back to 1992.

Compactness: Only 13 counties and 13 VTDs were split in this map. Let me repeat that: Only 13 counties and 13 VTDs were split in this map. In accordance with the criteria, more whole counties and more whole precincts, or VTDs, are the best indicator of compactness we believe we are able to achieve.

Incumbency: Only two incumbents are double-bunked in this map; one Republican and one Democrat. Eleven Republicans [sic] were placed in a district by themselves.

Mr. Chairman?

CHAIRMAN RUCHO: Yes, sir.

REP. LEWIS: Anticipating some inquiries, I will suspend my presentation and take questions at your direction.

CHAIRMAN RUCHO: Okay. Members of the Committee, you have the proposed map before you. And again, I'll just remind you: This is the only one that will be reviewed today because we just -- you know, there were no other maps submitted by either the minority House and/or Senate or any individual. So this is the map we're going to be discussing today. And after discussion is completed, this committee will take a vote, and we'll either be against or referring this to the General Assembly for its special session for adoption so we can comply with the three-judge panel from the Middle District.

Members of the Committee.

All right. Let's start off with Senator McKissick.

SEN. MCKISSICK: Thank you, Mr. Chair. I would like to be recognized for a series of questions, if that's possible.

CHAIRMAN RUCHO: We'll go through the Chair.

SEN. MCKISSICK: Yes, absolutely.

CHAIRMAN RUCHO: And we'll go one after another.
SEN. McKISSICK: I was wondering if I could first get some understanding of the percentages of Democrats and Republicans in these various districts. If we can have, perhaps, a staff person review that with us.

CHAIRMAN RUCHO: So let me -- let me be clear. Now, you want the --

SEN. McKISSICK: First of all, Representative Lewis,

CHAIRMAN RUCHO: The election results.

SEN. McKISSICK: We don't have a stat pack. The only thing we have are --

CHAIRMAN RUCHO: All right. What would you request?

SEN. McKISSICK: Well, what I would like to know is what the breakdown is in terms of Democrat, Republican, and unaffiliated voters in each of these particular districts, as a starting point. It would also be helpful to understand --

CHAIRMAN RUCHO: Well, hold it. Let's --

SEN. McKISSICK: -- let's get first -- that first part cleared up.

CHAIRMAN RUCHO: Well, this is a computer code. This is the way the computer generated the election results which we distributed to you. And, in fact, it would be on page 2 of the stat pack. If you will, first of all, you should request that we get some information on party affiliation in each of the districts. Is that something we can achieve, either now or --

MS. CHURCHILL: It is something we cannot achieve while the committee is in meeting.

CHAIRMAN RUCHO: Right. Okay. Just state that again, please, in the microphone.

MS. CHURCHILL: At this juncture we can't achieve it while the committee is meeting. But we can achieve that for Senator McKissick.

SEN. McKISSICK: Okay. And the committee --

REP. LEWIS: Mr. Chairman?

CHAIRMAN RUCHO: Yes, sir.

REP. LEWIS: Could I speak to that one point?

CHAIRMAN RUCHO: Representative Lewis.

REP. LEWIS: Yes, sir.

Obviously, the staff can provide to the gentleman whatever statistics he asked for. I did want to say that the -- in the drawing of this map, we looked at election results. We think those are better indicators of voting performance than voter registration, which is why you don't -- which is why that's not shown in these -- in the statistics that you have.

CHAIRMAN RUCHO: All right.

SEN. McKISSICK: Thank you. And I wanted to follow up.

CHAIRMAN RUCHO: Follow-up question, yes, sir.

SEN. McKISSICK: Precisely look at the performance characteristics of each district in terms of whether it's a Democratic performance district, and if so, by what percentage, a Republican performance district, so that we have some idea the extent to which there are competitive swing districts.

I know Representative Lewis has indicated that the map may not be quite as favorable as it was before to Republican majority. But to the extent to which we could get data that specifically breaks down the performance characteristics of each of these Congressional districts, that would be helpful. Then we can understand what we're looking at.

REP. LEWIS: Mr. Chairman and Members?

CHAIRMAN RUCHO: Yes. Representative Lewis.

REP. LEWIS: Members, if I could direct your attention to the documents that you have before you -- I probably should have done a better job of going through that.

If you will, first of all, you should have a document before you that's entitled "2016 General Election Attorney General," there's a code map, we looked at election results. We think that the map may not be quite as favorable as it was in some information on party affiliation in each of these particular districts, as a starting point. It would also be helpful to understand --

I know there was -- who exactly is double-bumped.

It would appear that Representative Adams, who represented the 12th District --

CHAIRMAN RUCHO: Well, hold it. Let's --

SEN. McKISSICK: -- let's get first -- that first part cleared up.

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REP. LEWIS: Mr. Chairman?

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REP. LEWIS: Mr. Chairman and Members?

CHAIRMAN RUCHO: Yes. Representative Lewis.

REP. LEWIS: Members, if I could direct your attention to the documents that you have before you -- I probably should have done a better job of going through that.

If you will, first of all, you should have a document before you that's entitled "2016 Redistricting Database Field Key." It's an 8-1/2 by 11 sheet of -- two sheets of paper.

Does everyone see that or have access to that document?

If you'll look at the --

SEN. McKISSICK: Thank you. And I wanted to follow up.

CHAIRMAN RUCHO: Yes. Sir.

REP. LEWIS: Mr. Chairman?

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If you will, first of all, you should have a document before you that's entitled "2016 Redistricting Database Field Key." It's an 8-1/2 by 11 sheet of -- two sheets of paper.

Does everyone see that or have access to that document?

If you'll look at that document, it will -- actually, if you'll look at the right-hand column, the right-hand column of that document, this is a computer code. This is the way the computer generated the election results which we looked at.

For instance, you'll see under "2008 General Election Attorney General," there's a code there at the right-hand column. Again, I direct your attention, ELOB_3AG_D. You can take and find that same code on the stat pack that was distributed to you. And, in fact, it would be on what I would consider page 2 of the stat pack. If you'll look across the top -- I'm referring now to the big -- to the big set of documents that you have. You'll see it says, "Election Results 2008,
CHAIRMAN RUCHO: Okay. And just a request from staff what you think you need as
CHAIRMAN RUCHO: Yes. Representative Lewis, you have --
REP. LEWIS: I just want to say that I completely agree with Senator McKissick, that
would be a whole lot easier way to look at these reports. I asked for that to be done. And it's
not the way, unfortunately, the system generates the reports. But if you would indulge me for just
a moment, I'm going to get my notes and we'll go sheet by sheet, and we'll add those names, if you
would be so kind.
SEN. McKISSICK: I would certainly indulge you, without a doubt. I think that would
be a helpful exercise for all of us who are not acquainted with this and haven't seen it before.
CHAIRMAN RUCHO: Representative Lewis, would you --
And, Members of the Committee, please take note as Representative Lewis explains what each of
the AG, CI, and the like is, based on the year of the election.
Okay. Representative Lewis, you have the microphone.

REP. LEWIS: Thank you, Mr. Chairman.
Members, if you will look at the page that's, of course, labeled at the top "2016
Contingent Congressional Plan," and then if you will look in the second left-hand column, you will
see the code "EL08G_AG_D." Okay? Does everybody see that this particular document?
Okay. Then with that, if you'll go with me, you'll see the first column says "District 1."
The second column is that code that I just gave. The third column, if you would write the word
"Cooper," write the word "Cooper" at the top of that column, it might make it easier to -- to
understand. If you would skip the next column, which currently says "68,474," you'll get to the
following column. If you would write the word "Crumley."
If you would then skip the following column and go to the column that says
"EL08G_AD_D." Does everyone see that? The first number is 233,665. If you would please write
the -- if you would skip right next -- right over to the column that says "71.44" and write the word
And then skip the column that says
“93,433.” And then you’ll come to “28.56,” and write the word “Merritt,” M-E-R-R-I-T-T. If you’ll then skip the next column, which has “327098.” And also skip the column that has the “220038.” Yes, sir. I’m sorry. 220,038. If I could pause for just a minute.

CHAIRMAN RUCHO: Yes, sir.

(Representative Lewis and Chairman Rucho confer.)

REP. LEWIS: So where it says “66.68,” you would write “Ansley” -- is that correct? And then you would skip the 109968 and get to the 33.32, and write the word “Troxler,” T-R-O-X-L-E-R. If I could pause for only a moment to make sure the members understand. I chose, in my notes, to use the percentages of the votes cast. The numbers that I asked you to skip by are also relevant. That’s number of raw votes cast, on the report.

Okay. The next page that I have --

CHAIRMAN RUCHO: And this is Election Results 2008, correct?

REP. LEWIS: Yes, sir.

The next page that I have begins with the code EL08G_CI_D. And the number in the first column is 232,552. If you would, to be consistent, go to the next column, which says 70.70 percent, and write the word “Goodwin.” This is the race for commissioner of insurance. The word “Goodwin.”

CHAIRMAN RUCHO: Representative Lewis, everybody has a -- what they call the 2016 Redistrict Database Key, with the codes on it, too. So that should also be there, just for your information.

Do you have that there, Senator McKissick? It’s a two-page, front and back, and it gives you the code, the elections, the candidates.

SEN. McKISSICK: Yes, sir, I do have it.

CHAIRMAN RUCHO: Okay. So that’s the key to using the database.

REP. LEWIS: If it’s all right, I’ll just continue, Mr. Chairman.

And then if you skip the next column at 88227 to get to where it says “26.82,” the word “Causey” should appear. Causey.

And, Members, if you will, this might be a little bit more confusing than it has been.

SEN. BROWN: It should be Odom.

REP. LEWIS: On my notes, I skip over to where it says “EL08G_CL_D,” for Commissioner of Labor. This is towards the right side of the page.

SEN. BROWN: Mr. Chairman.

(Representative Lewis and Chairman Rucho confer.)

REP. LEWIS: Members, the Chairman has noticed me that I used the word “Causey” and should have used the word “Odom.” I apologize. It’s still the Republican nominee versus the Democratic nominee.

If you’ll look over where it says “EL08G_CL_D,” that’s for Commissioner of Labor.

SEN. McKISSICK: The column beginning with the “328927”? Are you that far across?

REP. LEWIS: No, sir. I actually skipped that --

SEN. McKISSICK: Skipped that.

REP. LEWIS: -- Senator, only because I was trying to go by my notes. And I will go back and refill the gaps in.

SEN. McKISSICK: That’s fine.

Thank you, Mr. Chairman.

REP. LEWIS: I apologize for that.

But under the Commissioner of Labor, where it says “68.42,” the name -- and I will apologize if I mispronounce the nominee’s name, but it was D-O-N-N-A-N, Donnan. And then if you skip over to where it says “31.58,” the nominee’s name was Berry, B-E-R-R-Y.

(Representative Lewis confers with Chairman Rucho.)

CHAIRMAN RUCHO: Representative Lewis, that “W” is a write-in. Okay.

REP. LEWIS: All right. Mr. Chairman and Members, I’ll be happy to return to this page, but my notes are -- my notes are incomplete about that middle -- that middle section there. I think that’s a write-in. But just to confer with the Chair, I don’t want to state in the microphone something I’m not absolutely sure of.

But anyway, moving on. The next page that I have --

REP. STAM: Mr. Chairman. Mr. Chairman.

Mr. Chairman. Woohoo.

CHAIRMAN RUCHO: Yes, sir.

Representative Hager. Oh, Stam. Excuse me.
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<td>REP. STAM: I’m searching. Is there maybe some -- some motion or somehow where we could relieve Representative Lewis from this tedious task. Maybe we’ve all sort of gotten the idea now and we could just -- just an idea. Just an idea.</td>
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<td>CHAIRMAN RUCHO: Good question. Senator McKissick, now that we’ve identified a key for you, are you comfortable in as far as being able to relate the specific name to this, or would you want us to go through it and --</td>
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<td>SEN. McKISSICK: What would be helpful, if we don’t have the information available now -- I mean, it would be great, perhaps, if staff -- I mean, I understand you can’t get it on there because of, I guess, software limitations in the way you can categorize this stuff. But it would -- I think the exercise we’re going through provides very valuable --</td>
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<td>CHAIRMAN RUCHO: Fine. Then we will -- we will continue.</td>
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<td>SEN. McKISSICK: But I don’t want to be laborious.</td>
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<td>CHAIRMAN RUCHO: Representative Lewis --</td>
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<td>27</td>
<td>We’ll -- we’ll continue.</td>
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<td>Representative Lewis, please continue.</td>
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<td>REP. LEWIS: Okay. The next one in the stat pack, it reads -- starts with “EL08G_GV_D.” Let me see if I can speed up a little bit here. In 2008-GV-D, if you’ll look there, obviously the “D” is for Democrat. That would be Perdue, P-E-R-D-U-E. If you look over to the column that has “R,” that would be McCrory, M-C-C-R-O-R. And then if you see the column with the “L,” for Libertarian, that would be Munger, M-U-N-G-E-R. Now I know what you want me to look at, I’ll do it faster. I apologize.</td>
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<td>CHAIRMAN RUCHO: Okay.</td>
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<td>REP. LEWIS: Continuing on. 2008, where it says “EL08GLG” -- does everybody see that? That would be Dalton. 2008 LG R would be Bittinger. And the “L,” the Libertarian, would be Rhodes, R -- R-H-O-D-E-S. I believe that completes that page.</td>
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<td>Turn next to the one that begins “EL08G-SPI.” The “D” there would be Atkinson, A-T-K-I-N-S-O-N. The “R” would be Morgan, M-O-R-G-A-N. And then the -- you see the column that has “USS,” for United States Senate. The Democrat would be Hagan, the Republican would be Dole, the Libertarian would be Cole. Is everybody kind of getting comfortable with this? Okay. And that would complete that page. The others would be write-ins and whatnot. So we’ll turn the page to the one that begins “2010 General.” This race is the race for the U.S. Senate in 2010. The column that says “USS_D” would be Marshall, M-A-R-S-H-A-L. The column that has _R would be Burr, B-U-R-R. _L would be Beitler, B-E-I-T-L-E-R. Again, I apologize if I mispronounce a name. Turning to page, Election Results 2012 General, G and LG. Again, where it says &quot;EL122_GV_D,&quot; the first column would be Dalton, D-A-L-T-O-N. The same -- the corresponding column with an &quot;R&quot; on it would be McCrory. Corresponding column with an &quot;L&quot; on it, for Libertarian, would be Howe, H-O-W-E. There was a write-in that -- that’s there. And then a write-in miscellaneous. So that’s what those other G’s are there. The one that says &quot;LG_D&quot; would be Coleman, C-O-L-E-M-A-N. LG_R would be Forest, F-O-R-E-S-T.</td>
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<td>that has &quot;USS,&quot; for United States Senate. The Democrat would be Hagan, the Republican would be Dole, the Libertarian would be Cole. Is everybody kind of getting comfortable with this? Okay. And that would complete that page. The others would be write-ins and whatnot. So we’ll turn the page to the one that begins “2010 General.” This race is the race for the U.S. Senate in 2010. The column that says “USS_D” would be Marshall, M-A-R-S-H-A-L. The column that has _R would be Burr, B-U-R-R. _L would be Beitler, B-E-I-T-L-E-R. Again, I apologize if I mispronounce a name. Turning to page, Election Results 2012 General, G and LG. Again, where it says &quot;EL122_GV_D,&quot; the first column would be Dalton, D-A-L-T-O-N. The same -- the corresponding column with an &quot;R&quot; on it would be McCrory. Corresponding column with an &quot;L&quot; on it, for Libertarian, would be Howe, H-O-W-E. There was a write-in that -- that’s there. And then a write-in miscellaneous. So that’s what those other G’s are there. The one that says &quot;LG_D&quot; would be Coleman, C-O-L-E-M-A-N. LG_R would be Forest, F-O-R-E-S-T.</td>
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<td>C-O-L-E-M-A-N. LG_R would be Forest, F-O-R-E-S-T.</td>
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<td>And that will complete that page.</td>
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|      | Turning now to the Election Results 2012 General. The one that begins "AD," of course, for Auditor. The Democrat, the "D," nominee would be Wood, and the "R" nominee would be Goldman, G-O-L-D-M-A-N. Then where you see it says ",CA_D" for Commissioner of Agriculture, the Commissioner nominee for the Democratic Party is Smith, S-M-I-T-H. _R, the Republican, is Troxler, T-R-O-X-L-E-R. Also on that page is "CL," for Commissioner of Insurance. The Commissioner of Insurance, the Democratic nominee is Goodwin, G-O-O-D-W-I-N, and the Republican is Causey, C-O-A-U-S-E-Y. That completes that page. Turning over where you see the next kind of -- thinking you’re getting the feeling of how this works now. The "CI" is Commissioner of Labor. CI_D would be the Democratic nominee. The last name was Brooks, B-R-O-O-K-S. _R, the Republican nominee, would be Berry, B-E-R-R-Y. That will complete that race. Where it says "SS," that’s Secretary of
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<td>30</td>
<td>County whole. And that is the home of</td>
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<td>Representative Price, based on the records that we</td>
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<td>have in the General Assembly.</td>
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<td>And there are whole precincts in Durham that</td>
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<td>connect to an area in Wake County. That area is</td>
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<td>the home of Representative Holding.</td>
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<td>Representative Adams is not bunked with any other</td>
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<td>incumbent member, nor is any other sitting member</td>
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<td>of the delegation.</td>
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<td>But, Mr. Chairman, I would like --</td>
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<td>CHAIRMAN RUCHO: Yes.</td>
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<td>REP. LEWIS: -- to direct staff or ISD as</td>
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<td>quickly as possible to provide members with maps</td>
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<td>that have the home location of the incumbent.</td>
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<td>CHAIRMAN RUCHO: Addresses, locations.</td>
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<td>All right.</td>
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<td>Ms. Churchill, request that we go ahead</td>
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<td>and get maps that will identify the location of</td>
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<td>the incumbents, if you'll be kind enough.</td>
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<td>Okay,</td>
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<td>SEN. MCKISSICK: One point of</td>
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<td>clarification, Mr. Chairman, if I could. The</td>
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<td>incumbent for District 13 would be whom?</td>
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<td>REP. LEWIS: Representative Adams.</td>
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<td>SEN. MCKISSICK: That's what I was</td>
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<td>thinking.</td>
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<td>And for 12, who do we have there?</td>
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<td>REP. LEWIS: I do not believe -- there is</td>
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<td>no current incumbent in -- the proposed 12.</td>
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<td>SEN. MCKISSICK: Okay. So I'm looking</td>
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<td>at -- 13 here would be Adams. 12 would be?</td>
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<td>REP. LEWIS: Vacant?</td>
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<td>SEN. MCKISSICK: Vacant.</td>
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<td>CHAIRMAN RUCHO: No incumbent.</td>
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<td>SEN. MCKISSICK: No incumbent?</td>
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<td>CHAIRMAN RUCHO: Correct.</td>
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<td>SEN. MCKISSICK: Who would have formerly</td>
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<td>been in 12?</td>
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<td>That would have been --</td>
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<td>REP. LEWIS: Just to be clear --</td>
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<td>CHAIRMAN RUCHO: Let him answer, please.</td>
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<td>SEN. MCKISSICK: -- Adams' district</td>
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<td>REP. LEWIS: Just to be clear --</td>
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<td>CHAIRMAN RUCHO: Let him answer, please.</td>
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<td>SEN. MCKISSICK: Sure.</td>
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<td>CHAIRMAN RUCHO: Thank you.</td>
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<td>REP. LEWIS: One of the instructions</td>
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<td>given by this committee was to do away with the</td>
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<td>shape of the 12th. The 12th is now contained</td>
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<td>entirely inside Mecklenburg County. So from my</td>
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knowledge -- well, the fact that certainly
Representative Adams does not live in Mecklenburg
County; therefore, that's why she's -- her home
does not appear in Mecklenburg County. She lives
in Guilford County, to the best of my knowledge.

SEN. MCKISSICK: Exactly. That's what I
was a bit confused about.

Okay. So what we have, we have a
district which Congresswoman Adams can run from,
which is the 13th District. Is that correct?

REP. LEWIS: Yes, sir. But I would
remind you that an individual election to
the U.S. House does not have to reside in the
district which they run.

SEN. MCKISSICK: I understand.

And in terms of applying these
performance characteristics to the 13th District,
would this be a Democratic- or Republican-leaning
district?

REP. LEWIS: Senator, I believe you would
need to look race by race. And by "race by race,"
I'm referring, of course, to the political races.
The data that we just went through, I believe the
district would be one of the ten that lean
Republican.

SEN. MCKISSICK: That would lean
Republican?

REP. LEWIS: Yes, sir.

SEN. MCKISSICK: Okay.

CHAIRMAN RUCHO: Follow-up.

SEN. MCKISSICK: Follow-up, if I could.

CHAIRMAN RUCHO: Follow-up.

SEN. MCKISSICK: In the three districts
you have identified as being Democratic districts,
I assume what we're looking at is the 1st
District, the 4th District, and the 12th District.

Would that be a logical assumption, or do I stand
to be corrected?

REP. LEWIS: No, sir. You are correct in
your -- in your -- in your analysis.

CHAIRMAN RUCHO: Follow-up.

SEN. MCKISSICK: Yeah. And -- and I
guess the follow-up I have is that I -- I do have
concern -- I mean, I see that we have certainly
provided Representative Adams with a district to
run from. I need to drill down deeper to see the
numbers and see how close of a district that is in
terms of her capacity to compete. And I've not
had a chance to drill down those numbers yet, but
I assume, based upon what you've indicated, that

it is a -- perhaps a very strongly Republican
leaning district, particularly looking at the
counties that are contained within it. And I was
thinking about their historical representation
here in the General Assembly.

And I see the 12th being carved out. But
I guess this all just gives me concern receiving
it all so quickly, trying to digest it quickly,
trying to move forward with this at -- what is
almost like the speed of light. And while I
appreciate the fact that there were some funds
made available to the minority caucus to, perhaps,
get maps drawn, to be candid with you, to get maps
drawn on a short notice and short order, within
24 hours, has proven to be very challenging.

So I will thank you for the information
you provided. It does provide me with some
concerns, which I've articulated. And I'm -- it
would certainly be nice if we did have the
Republican/Democratic breakout in terms of
registrations. And if I'm talking to Erika, she
can get that. Is there any way, perhaps, staff
can also -- I know it wasn't one of the criteria
used in drawing these maps, but they can filter
down a subcategory that would have provided us

with the racial breakout of each district? Is
that possible to obtain from staff even though I'm
aware with respect to the fact it was not a --

CHAIRMAN RUCHO: Senator Mckissick, let
me get clear now. You're requesting some data
on -- on the registration of the 13 districts, and
you're requesting the data and the demographics on
the -- the racial breakdown on the 13 districts?

SEN. MCKISSICK: That is correct,
Mr. Chair.

CHAIRMAN RUCHO: Okay. Now, just as a
bit of a information, you talk about a -- a time
schedule. Well, we're all under a very tight time
schedule since the Court gave us two weeks -- or
14 days to do it, and it occurred on a Monday --
on a Friday night, so it really kind of brought it
down to ten days. And so this is a heroic effort
that we could even get all of this accomplished in
that short of period of time. So we're all under
tight -- tight time schedules, just for your
information. Thank you.

SEN. MCKISSICK: I respect that. It's
just that you knew the attributes before
yesterday. And we learned them yesterday.

CHAIRMAN RUCHO: Thank -- thank you.
And, Members of the Committee, any -- 
Senator Clark.
SEN. CLARK: Mr. Chair, I have a question 
for staff.
CHAIRMAN RUCHO: Say it again, please.
SEN. CLARK: Question for staff.
CHAIRMAN RUCHO: Yes.
SEN. CLARK: If we provided a stat pack 
based on this 2011 database, would that provide 
Senator McKissick everything he's asking for and 
then some?
CHAIRMAN RUCHO: Ms. Churchill, do you 
have a response to that?
MS. CHURCHILL: I believe Senator Clark 
is asking if -- would the 2011 stat pack that was 
generally presented to the General Assembly during 
that round of redistricting, would that answer 
Senator McKissick’s questions. I believe Senator 
McKissick is shaking his head, no, it would not 
answer his questions.
SEN. MCKISSICK: It would.
MS. CHURCHILL: The one thing that 
definitely was in the stat pack was the party 
registration information. So, yes, it would at 
least answer that piece of it.

CHAIRMAN RUCHO: All right. Follow-up.
SEN. MCKISSICK: What I would like to 
have provided is a stat pack based on 2011 
database applied to the districts as shown here on 
this map.
CHAIRMAN RUCHO: Staff, can we accomplish 
that?
It will be accomplished.
SEN. MCKISSICK: Thank you.
CHAIRMAN RUCHO: And as Representative 
Lewis said, we'll be -- you'll be getting all of 
the data you need. It won't be before this 
committee today, because it will take time to 
achieve it. Had, I’m sure, individual members had 
made requests on some of that, we probably could 
have gotten it done, but not during this time.
But there are opportunities to, again, 
review the maps. There will be redistricting 
committee meetings that we'll have another chance 
to review it. And then, of course, on the floor, 
both in the House and the Senate.
So, Senator McKissick, I want you to rest 
up; you're going to have plenty of opportunity.
SEN. MCKISSICK: Thank you.
CHAIRMAN RUCHO: Okay. I've got Senator
Brown.
SEN. BROWN: Just a quick comment, just 
to talk about the 13th District and its 
competitiveness. The Democrats have won that 
district, if you'll look through this, on several 
occasions. So it's obviously a competitive 
district because they have won some races in that 
district.
CHAIRMAN RUCHO: Okay. Representative 
Michaux.
REP. MICHAUX: Mr. Chairman, following up 
on what Senator McKissick asked for -- and you 
might wonder why, even though you have taken out 
race as a criteria, we still need to have race 
mentioned in here because of the Section 2 Voting 
Rights Act. You've got -- we've got to have that 
information in there. And there's a determination 
of whether or not Section 2 has been violated in 
this -- in this map.
CHAIRMAN RUCHO: Representative Lewis, 
you have a comment on that, please.
REP. LEWIS: Mr. Chairman, 
certainly Representative Michaux is much more 
learned in this area than I am.
I just want to state, again, for the 
record on -- for this committee that race was not 
considered in the drawing of this map. Later 
today, we're going to ask this committee to adopt 
this map. After this map is adopted and prepared 
for introduction to the General Assembly, I 
believe the -- Senator McKissick requests, and 
perhaps Senator Clark requests, and now that 
Representative Michaux requests, would be to take 
this map and to populate it with the data that 
they have asked for. That can certainly be done 
after this committee adopts this map and -- as 
and as it moves forward.
CHAIRMAN RUCHO: Yes, sir. Follow-up.
REP. MICHAUX: But -- but would not that 
information now help us to make a determination as 
to how we wanted to vote out of this committee on 
these -- on this map?
REP. LEWIS: Thank you for that question.
Representative. The information on race is simply 
not available to provide to you at this moment on 
this map.
CHAIRMAN RUCHO: Follow-up?
REP. MICHAUX: Then when is it going to 
be available and when are we going to have an 
opportunity to see it?
REP. LEWIS: Well, just to be clear, Representative -- and I want to clearly state this -- as an individual member of this committee, you can request whatever information on this map on this -- on any district, on any county, on anything that you want, but it will -- but race is not going to be considered by this committee as we adopt this map and recommend it to be passed by the General Assembly.

REP. MICHAUX: Mr. Chairman?

CHAIRMAN RUCHO: Yes, sir.

REP. MICHAUX: My follow-up to -- to to Representative Lewis. Representative Lewis, the three-judge panel found that these drawings were unconstitutional and it was based predominantly on race. There are other factors that you should -- that should be considered in terms -- for instance, as I said before, a violation of Section 2 of the Voting Rights Act. We need -- I'm not going to vote for another unconstitutional map if I can't determine whether or not Section 2 is being violated by what you've done.

REP. LEWIS: Well, thank you for clarifying, Representative Michaux. To the best of my knowledge, you didn't vote for the 2011 plan. The plans that you voted for have, in fact, been unconstitutional.

But let me continue in my answer. The criteria that this committee adopted in open debate yesterday was the following: Equal population, contiguity, political data, partisan advantage, the 12th District compactness, and incumbency. That is the criteria that this committee debated and adopted over about a three-and-a-half, four-hour period. Those are the criteria that were used to draw these maps. Those are the criterion that these members will be asked to base their decision on.

CHAIRMAN RUCHO: Representative Lewis. (Chairman Rucho and Representative Lewis confer.)

CHAIRMAN RUCHO: Representative Michaux, you all set?

REP. MICHAUX: Yeah.

CHAIRMAN RUCHO: Very good. Thank you. All right. Do we have anybody else presenting a question or --

REP. STAM: Mr. Chairman?

CHAIRMAN RUCHO: Yes, Representative Stam.

REP. STAM: Would appropriate motion be in order to give this a favorable report? I would like to make such a motion at the appropriate time.

CHAIRMAN RUCHO: All right. Well, thank you. I think, actually, Representative -- Senator Hise requested that earlier. So we'll do that. Senator Blue, question.

SEN. BLUE: No question; just a comment.

CHAIRMAN RUCHO: All right.

SEN. BLUE: Mr. Chairman, I don't think it takes much imagination to see exactly what you've done here. In three districts -- that is, the 1st, the 4th, and the 12th -- you've, again, managed to stuff about half of the black population in the state. And all you've got to do is look -- you can -- you can name it whatever you want to name it; it still is what it is.

When you just peruse very quickly the statistics on all of these races, you see exactly what is going on in each of these three districts. You've got 66 to 68 percent -- you call it "Democratic performance." But anybody who looks at the numbers see that you're at the core of the cities in this state and that the areas that you extract are the -- are the primarily minority communities, whether you're in Durham or Wake or Mecklenburg.

The more important thing is that you can't use partisanship as a proxy for race. And that's exactly what you've done here. We know because we've been unable to draw these maps overnight. And you didn't draw them overnight either. And we know that they were imported into this place, and they weren't originally conceived or drawn on the legislative computers.

But let me say this: The biggest challenge that we have is basically the dismantling of democracy that this map represents, in that you create three districts that perform at a 65 to 70 percent level for one party, then ten districts that perform in the low to mid 50s range for the other party. Now, you're assaulting democracy even though you're doing it in the name of partisanship.

And historically, the courts have said that they're going to stay out of the political thicket when it comes to gerrymandering based on partisanship.

But I will tell you, this is such a bold
and audacious move that it's probably what the
courts have been waiting for to wade into this
area. And I will assure you of that. And if you
think the people in this state are mad because of
the way you districted the last time, they're
going to be furious because of the way you're
doing this district. This is an abomination. It
is a direct assault on democracy. It is
disingenuous to think that you've now created
districts that don't take race into account just
because you say race hasn't been taken into
account.

When we get the stat -- stat packs on
these districts, I will assure you of two things:
Number 1, the black voting age population in
Districts 1 and District 12 are equal or greater
than it was in the two districts that have been
rejected so far. And Number 2, that -- that in
the other district, District 4, I guess, where you
take Wake County and send it a certain way, you
will find the same kind of phenomenon.

So I say that you might call it
partisanship in districting like this. But here
in the middle of Black History Month, it is as
pernicious as the same kinds of activity that has
given a scar to so many Southern states over the
last 150 years.

You call it what you want. It is still
using race as a basis as to how you elect the
Congresspeople in North Carolina.

CHAIRMAN RUCHO: Representative Lewis.
REP. LEWIS: Mr. Chairman, I just point
out even Senator McKissick's acknowledged that
race was not a factor in drawing this map, Senator
Blue appears to want to try to create something
that does not exist.

So I will point out again: I have
already read the criteria. I will not -- I will
not belabor it. But the criteria that was used to
draw this map was adopted by this committee
yesterday and repeated by me a few minutes earlier
today.

CHAIRMAN RUCHO: Yes, sir. Thank you.

And -- and Senator Blue, when you use --
say that using the partisan, that partisan was
never used. All it is was the political data
coming from elections, and you have that before
you. So for you to tie together race in that just
doesn't make any sense. So that -- that being
said --

yes, Representative Butterfield.

REP. FARMER-BUTTERFIELD: Thank you,
Mr. Chair.
I wanted to ask that we look at the
criteria we have that was adopted by this majority
yesterday and apply that to these three districts
for me.

REP. LEWIS: Certainly.
CHAIRMAN RUCHO: Representative Lewis.

And while he's preparing, can I remind
everybody here to please keep your maps so we can
have them and we don't have to cut down some
additional trees, if at all possible. And -- so
thank you. That and the stat packs. So bring
them and make them available for the redistricting
committee meetings, House and Senate, and on the
floor.

Representative Lewis.

REP. LEWIS: Mr. Chairman, could I just
clarify with Representative Farmer-Butterfield?

You wanted to go through three districts
that Senator Blue referred to based on the
criteria that was adopted.

Yes, ma'am. First of all, the first
criteria was equal population. The population of
the 1st is 733,499.

The second criteria is contiguity. I
think you can look at the map -- and even this
map, if it's more helpful without county lines,
and be able to see that all the territory is
contiguous. It does touch.

Political data: I've provided that to
you. That shows what the election results were
within inside this district.

The partisan advantage: I've conceded
that Republicans don't have a great partisan
advantage in the 1st.

The 12th: The -- the drawing of the
1st -- the -- one of the criteria yesterday was
do away with the certain serpentine shape of the
12th. So that would not apply to the 1st.

Compactness: I think you will notice
that nearly every county in the 1st is a whole
county. You will see that there are three divided
counties in the 1st, Wilson being one of them.
That was done to take into account the residency
of the incumbent. Pitt -- Pitt was divided to --
again, based on the requirement to have equal
population. And you'll see that Durham is divided
as well, as best I recall, as -- as a combination
of the need to equalize population, and political concerns as well.

In the 4th, the criteria for equal population is met. The population in the 4th is 733,499.

Contiguity: You’ll notice that it is all of Orange County. It connects nicely through Durham in whole precincts. And you’ll see that it connects into Wake. All of the area is contiguous.

The area of political data I provided to you in the stat packs, the partisan advantage, I’ve conceded that I think the Republicans are going to have to work hard to win this seat.

The 12th District: This -- the doing away with the serpentine 12th does not apply to the drawing of the 4th.

Compactness: I think you can see that it’s one whole county. It’s -- it is, in my opinion, a very compact district. And in the area of incumbency, one incumbent member of Congress resides in Orange County. So it takes that into account as well.

As far as the 12th goes, an area of equal population. The population of the 12th is 733,498.

The contiguity: You’ll see that it is all connected territory within Mecklenburg County.

The political data I have provided to you, partisan advantage, I have conceded that the Republicans have to work really hard to win this seat.

The 12th District: You will see it is certainly not a serpentine district that snakes all the way up through the state.

Compactness: I think certainly you can recognize that it is compact.

And incumbency for this particular district was not a consideration because there is not an incumbent residing in the 12th at this time.

REP. FARMER-BUTTERFIELD: Thank you.

CHAIRMAN RUCHO: Follow-up?

REP. FARMER-BUTTERFIELD: Follow-up.

I appreciate that information. It’s certainly helpful, because I live in District 1. And I was also concerned about how District 12 was leading as it relates to party. So that’s been real helpful.

CHAIRMAN RUCHO: I’ve got Representative Michaux had a question.

REP. MICHAUX: Yeah. Mr. Chairman, I’ve just got a short question.

Representative Lewis, do you believe that what you have done here, that African-American voters have a reasonable opportunity to elect candidates of their choice?

REP. LEWIS: Representative Michaux, I’ve conceded that you’re a brilliant man. I’ve conceded that you’re a very good attorney. I’m going to answer that by saying these maps were adopted by the criteria -- were drawn by the criteria adopted by this committee. The winks and the nods are not going to change my answer. Or the smirks.

CHAIRMAN RUCHO: Follow-up?

REP. MICHAUX: That was the answer I expected.

CHAIRMAN RUCHO: Okay.

REP. LEWIS: Glad -- glad to obliged.

CHAIRMAN RUCHO: All right.

Representative Hager.

REP. HAGER: Thank you, Mr. Chairman.

Just a quick statement, if it’s okay with you. As I sit here, we listen to the issues that we’ve had, and I want to commend Senator Rucho and Representative Lewis for the good job you guys have done on this. Thank you guys for your hard work.

Senator Blue said that the people are mad -- or will be mad in North Carolina for over these maps.

Senator Blue, you know, the last three elections, we returned more and more Republican majorities in this House and the Senate. If they’re mad, I think we -- they’re mad you -- you mad -- may be mad at the wrong person.

The Democrats in this case, in the minority party, have returned no maps. We don’t have anything else to consider. Even though, as the way I understand it, that unless the Republicans had colluded with the radio stations and the TV stations to only deliver the message of a three-judge panel to Republican areas, that the minority party had the same amount of time to bring maps forward. Two weeks, as far as I understand, that Representative Lewis and Senator Rucho worked to get this -- get these maps to us.

You know, at the end of the day, Representative Michaux talks about Section 2 of
the VRA. What he fails to mention is there's a three -- let me -- let see if I got it right. A three-threshold condition to be met. We didn't talk about those. We can go over those.

I think it's not just as simple as saying the VRA says -- Section 2 says you've got to do this. And, you know, what I find strange is a lot of the -- these three -- three conditions were met on the Supreme Court decision on Thornburg -- Thornburg versus Gingles that was because of Democrat-drawn maps back in the '80s. So I find that very ironic that these were pushed forward because of past Democratic-controlled maps that were drawn.

So I say all of this to say that, you know, these guys have worked hard. They've complied to the three-judge panel, even though I think all of us on this side of the aisle believe that the maps were -- drawn originally were constitutional.

So I think what we ought to do, Mr. Chairman, is move this map forward and go ahead and vote on it, and let's vote on it and get it out so we can all go home.

CHAIRMAN RUCHO: Thank you.

SEN. McKISSICK: So point of clarification, Mr. Chair.

CHAIRMAN RUCHO: Follow-up question.

SEN. McKISSICK: If we were to provide a jump drive or -- will they be like a jump drive or some device available where we could obtain that?

CHAIRMAN RUCHO: Ms. Churchill, do you have any answer to that?

MS. CHURCHILL: Senator McKissick, from the chair's instructions for posting on the Web, the block assignment file will be on the Web following the conclusion of this meeting.

SEN. McKISSICK: On the Web it will be available?

MS. CHURCHILL: Yes, sir.

SEN. McKISSICK: Thank you.

MS. CHURCHILL: Okay.

CHAIRMAN RUCHO: Representative Jones.

REP. JONES: Thank you, Mr. Chairman.

I just wanted to take the opportunity, perhaps with Representative Hager, and just commend the chairs and everyone involved for the work here under very difficult circumstances and very difficult time limits to be able to comb back with something like this.

Representative Hager.

Representative Lewis, comments?

REP. LEWIS: No, sir.

CHAIRMAN RUCHO: Okay. I've got Senator McKissick for a question.

Excuse me, I had Representative Jones.

Okay. He -- he offers you to have first voice.

SEN. McKISSICK: And this is a question of co-chairs or perhaps of staff. I was wondering if we could get a copy of the plan in a digital format that we -- say, on a jump drive or something like that, that can be downloaded to a database for further analysis?

REP. LEWIS: Mr. Chairman --

SEN. McKISSICK: And if so, when that might be available.

REP. LEWIS: Mr. Chairman?

CHAIRMAN RUCHO: Yes, sir.

Representative Lewis.

REP. LEWIS: Thank you, Mr. Chairman.

I would like to state for the record that staff has been instructed as soon as this committee adopts this plan to make that information available.

And I just wanted to kind of reiterate the fact of the compactness of the districts. Just for the benefit, perhaps, of the people -- people listening in that may not understand or just to reiterate that with Congressional districts, it's absolute zero deviation.

People ask sometimes, well, why do you divide a county? And the answer is, it's impossible not to.

But for you to draw 13 Congressional districts and only divide 13 counties, only divide 13 precincts, is quite commendable and goes beyond what should be expected. And I think you-all have done an absolute brilliant job in doing that. And obviously you know that whatever map you came back with, you were going to be subject to some type of criticism that we've heard here today, and no doubt will hear going forward.

But I will say this, and going back, perhaps, to a few of the comments that were made yesterday, which we won't repeat. But when the minority party was in the majority, I think it's pretty clear that they stopped at no limits when it came to political gerrymandering to their advantage.
When you look at the legislative maps that were drawn back in the previous decades, with two-member districts, three-member districts, four-member districts, however a district had to be drawn in order to gain that political favor -- favoritism for the majority at the time, there was no stone left unturned. But, yet, you've come back with a map here that has -- has answered the critics, has compiled -- complied with the law as the judge panel suggested. And I -- I think you really need to be commended.

And briefly, I just wanted to add to something that Senator Brown mentioned earlier with the 13th district. But I will take issue with those that would say that you cannot elect Democratic members in these districts. If you -- if you look at the data that we've been given -- for instance, the very first race on the -- on the sheet, 2008 Attorney General race, which was a contested partisan race, I would -- I would point out that the Democratic candidate won 13 out of the 13 Congressional districts.

If you look at the next one, which was the auditor's race, the Democratic candidate won nine of the 13 districts. If you go to the next page and look at the commissioner of insurance race, the Democrat won eight of the 13 districts. So I think -- to give credit to the people of this state, we're not talking about robots. They do have an opportunity to vote for the candidates of your choice. And I think that they have shown that they will cross party lines or they will vote for the candidate of their choice, whether it's a Republican or a Democrat, which would suggest that if you have the right candidate, that you have an opportunity to win in any -- in any district. And I think that should be pointed out.

Again, Representative Lewis, Senator Rucho, thank you all for the hard work and look forward to supporting your efforts.

CHAIRMAN RUCHO: Thank you.

Senator Apodaca.

SEN. APODACA: Thank you, Mr. Chairman. I think it might be good if we're talking about history month and history lessons, we have a little General Assembly history. I think back to -- Senator Rucho, what? 2003? When we had a hearing similar to this and we were told that we could find our own computer and draw our own maps and weren't offered anything from the majority party to help us towards that goal. Am I correct in that? I was -- kind of remembered that.

CHAIRMAN RUCHO: Yes, sir. Those were unconstitutional districts, if you remember.

SEN. APODACA: Yeah, they were.

But I -- you know, I'm struck -- you know, I look at this wall and all of these maps.

And I would say, I would submit, that this map is probably the best map since 1980.

Representative Michaux, I guess that was your tenth term. I don't remember how long you were here.

Smile, Mickey.

But, you know, we talk about splitting districts and we just talked about we have 13 split districts. 2011, we had 32. 2001, we had 27. 1998, we had 21. 1997, we had 20. And 1992, we had 44. So today, we have 13, with this proposed map, split districts. So --

CHAIRMAN RUCHO: Counties.

SEN. APODACA: Counties, excuse me.

Counties split. Both, yeah.

So this is much better than what we've had in the past, and I submit it to you.
my name has been used in vain a little bit here.

CHAIRMAN RUCHO: It was just a question of whether it was a tenth or the 16th term that you were at, at that point, I think.

REP. MICHAUX: Well, at the term that he mentioned, I was a United States Attorney for the Middle District of North Carolina. So I wanted to clarify that up. Make sure you understood. Just like you got your facts wrong on that one, you are wrong on this, too.

But irrespective of -- irrespective of --

SEN. APODACA: Mr. Chairman, may I ask Representative Michaux a question?

CHAIRMAN RUCHO: In a moment.

Finish up.

REP. MICHAUX: If he wants to ask me a question, let him go ahead on.

CHAIRMAN RUCHO: Go ahead.

REP. MICHAUX: Ask him who he voted for in his first race?

SEN. APODACA: I don't remember. I believe it was you. But we were all young at one time.

Did you prosecute these maps when you were in the U.S. Attorney's Office?

REP. MICHAUX: I didn't -- I didn't have to. I helped draw the ones in '80.

CHAIRMAN RUCHO: Okay. You have a follow-up to that?

REP. MICHAUX: Yeah. I just wanted to say, Mr. Chairman, that what -- what -- what Representative Hagar says, he needs to go back -- I'm glad he's a student of the law because he needs to really go back. Section 2 is a valuable part of the Voting Rights Act. It is a part -- if you read the decision by the three-judge panel, Section 2 is mentioned in there. If you read the decision in the Alabama case, Section 2 is mentioned in there. All of these things fall in line. What you -- what you're basically doing here is trying to avoid using race, you have already brought race into the picture.

CHAIRMAN RUCHO: Thank you.

All right. Any other questions, Members of the Committee? Any --

Yes, sir. Senator McKissick.

SEN. MCKISSICK: I -- I think that clarifies it. I mean, do we have any proposed dates? I mean, are we talking about May for the election or...

REP. LEWIS: Mr. Chairman?

CHAIRMAN RUCHO: Yes, sir.

REP. LEWIS: I'll be happy to try and share, or perhaps Representative Jones could meet with the senator after we adjourn.

To my knowledge, the dates have not been finalized yet. I know that they're both in

just wondering what's been determined and what has been proposed in terms of deadlines for filing periods in the postponement of the Congressional district elections? Because we clearly have situations here which would, in my mind, compel us to reset the Congressional district elections at a later date and reopen these final periods.

So I was wondering what has been thought about or what has been considered in terms of new date for the Congressional district elections or proposed opening periods for filing of candidacy.

Because otherwise, we end up with one district where there won't even be anybody.

REP. LEWIS: Mr. Chairman.

CHAIRMAN RUCHO: Yes, sir.

REP. LEWIS: In an attempt to answer the Senator's question, it is the intent tomorrow, provided a stay is not issued, that a bill would be sourced to create a new redistricting map to comply with the decision in the Harris case.

There will be a separate bill that would be sourced that would reestablish when the new Congressional election would be done. Obviously, there are factors to take into account, a certain amount of time it takes to get the ballots prepared and mailed out and whatnot.

But just for planning purposes, I believe, sir, you could anticipate that the -- the Senate would deal with the adoption of the maps first and the House would deal with the adoption of the new election schedule, and then the two would cross. And, you know, of course it would require action by both sides.

I know that there are several members that have begun to work on this with our staff. I can't give you the exact dates now; frankly, because I don't know what they are.
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<td>conversations with our central staff. I know Representative Jones on the behalf of the House has been in contact with the State Board. I don’t -- to be candid with you, I don’t know that we’ve set what the dates are just yet. SEN. McKISSICK: Okay. Thank you. CHAIRMAN RUCHO: To -- to help out with that, you know, having worked on the part when we establish the filing and the like for the March 15th, there are seven days that the boards of elections, both central and counties, are required to do certain things. So what you do is you work back, and that hasn’t been done yet. Okay. All right. Members of the Committee, I don’t see any additional questions or comments. Senator Hise, for a motion?</td>
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<td>67</td>
<td>that the committee recommend favorably to the General Assembly the contingent Congressional map presented to the committee today by you and Co-chairman Lewis, and that committee staff be given leave to format this recommendation, recommending contingent map as needed for submission as a report of recommended legislation to the General Assembly. CHAIRMAN RUCHO: Thank you, Senator Hise. Members of the committee, we have a motion before us to adopt these maps and be able to submit them to the General Assembly for the short -- for the special session. Any questions or comments? (No response.) CHAIRMAN RUCHO: All right. Seeing none, Mr. Clerk, may we have a roll -- THE CLERK: As per Senator Apodaca -- CHAIRMAN RUCHO: -- roll call first. And Senator Apodaca wants to be called first, if you will be kind enough. THE CLERK: We’ll begin with the Senate. CHAIRMAN RUCHO: Thank you. THE CLERK: Rucho? CHAIRMAN RUCHO: Aye.</td>
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<td>REP. LEWIS: Aye.</td>
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<td>3</td>
<td>Jones.</td>
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<td>4</td>
<td>REP. JONES: Aye.</td>
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<td>5</td>
<td>THE CLERK: Jones, aye.</td>
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<td>6</td>
<td>Brawley?</td>
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<td>REP. BRAWLEY: Aye.</td>
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<td>THE CLERK: Brawley, aye.</td>
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<td>9</td>
<td>Cotham.</td>
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<td>10</td>
<td>REP. COTHAM: No.</td>
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<td>11</td>
<td>THE CLERK: Cotham, no.</td>
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<td>12</td>
<td>Davis?</td>
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<td>13</td>
<td>REP. DAVIS: Yes.</td>
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<td>14</td>
<td>THE CLERK: Davis, yes.</td>
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<td>15</td>
<td>Farmer-Butterfield?</td>
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<td>16</td>
<td>REP. FARMER-BUTTERFIELD: No.</td>
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<td>17</td>
<td>THE CLERK: Farmer-Butterfield, no.</td>
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<td>18</td>
<td>Hager?</td>
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<td>REP. HAGER: Aye.</td>
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<td>20</td>
<td>THE CLERK: Hager, aye.</td>
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<td>21</td>
<td>Hardister?</td>
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<td>REP. HARDISTER: Aye.</td>
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<td>THE CLERK: Hardister, aye.</td>
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<td>24</td>
<td>Haynes?</td>
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<td>25</td>
<td>REP. HAYNES: No.</td>
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<td>1</td>
<td>THE CLERK: Haynes, no.</td>
<td>CHAIRMAN RUCHO: Okay. Members of the</td>
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<td>2</td>
<td>Hurley?</td>
<td>Committee, we're about ready to conclude our</td>
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<td>3</td>
<td>REP. HURLEY: Aye.</td>
<td>meeting. But again, I will just let you know,</td>
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<td>THE CLERK: Hurley, aye.</td>
<td>without objection, the chairs will sign this</td>
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<td>5</td>
<td>Jackson?</td>
<td>report when it's prepared to be submitted to -- to</td>
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<td>REP. JACKSON: No.</td>
<td>the General Assembly.</td>
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<td>7</td>
<td>THE CLERK: Jackson, no.</td>
<td>Okay.</td>
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<td>8</td>
<td>Johnson?</td>
<td>REP. LEWIS: Mr. Chairman?</td>
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<td>REP. JOHNSON: Aye.</td>
<td>CHAIRMAN RUCHO: Yes, sir.</td>
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<td>THE CLERK: Johnson, aye.</td>
<td>Representative Lewis.</td>
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<td>Jordan?</td>
<td>REP. LEWIS: I just also wanted to state</td>
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<td>REP. JORDAN: Aye.</td>
<td>for record that the Chair's acknowledged the</td>
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<td>13</td>
<td>THE CLERK: Jordan, aye.</td>
<td>request from Senator McKissick, and perhaps</td>
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<td>14</td>
<td>McGrady?</td>
<td>others, to make this information available and the</td>
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<td>REP. McGRADY: Aye.</td>
<td>Chair's understand that may require additional</td>
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<td>THE CLERK: Grady, aye.</td>
<td>information than what's been provided here or what</td>
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<td>17</td>
<td>Michaux?</td>
<td>was considered in drawing of the maps.</td>
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<td>18</td>
<td>REP. MICHAUX: No.</td>
<td>CHAIRMAN RUCHO: Okay. Ladies and</td>
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<td>19</td>
<td>THE CLERK: Michaux, no.</td>
<td>gentlemen, thank you for your attention, and this</td>
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<td>20</td>
<td>Moore?</td>
<td>committee is adjourned.</td>
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<td>21</td>
<td>REP. MOORE: Nay.</td>
<td>(The proceedings in this matter adjourned</td>
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<td>22</td>
<td>THE CLERK: Moore, nay.</td>
<td>at 5:37 p.m.)</td>
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<td>23</td>
<td>Stam?</td>
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<td>REP. STAM: Aye.</td>
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<td>THE CLERK: Stam, aye.</td>
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STATE OF NORTH CAROLINA
COUNTY OF WAYNE

CERTIFICATE

I, Jennifer C. Carroll, a Registered Merit Reporter and Certified Realtime Reporter, do hereby certify that on February 17, 2016, the proceeding was held before me at the time and place aforesaid, that all parties were present as represented, and that the record as set forth in the preceding pages represents a true and accurate transcription of the proceedings to the best of my ability and understanding.

IN WITNESS WHEREOF, I have hereto set my hand, this the 26th day of February, 2016.

______________________________  
Jennifer C. Carroll, RMR, CRR